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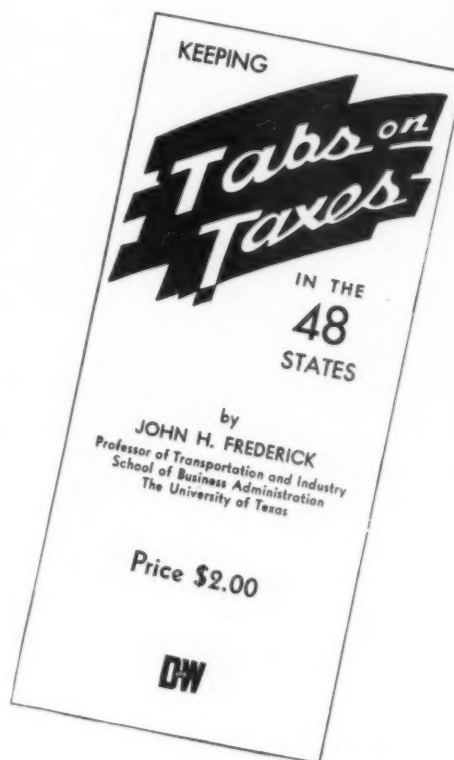
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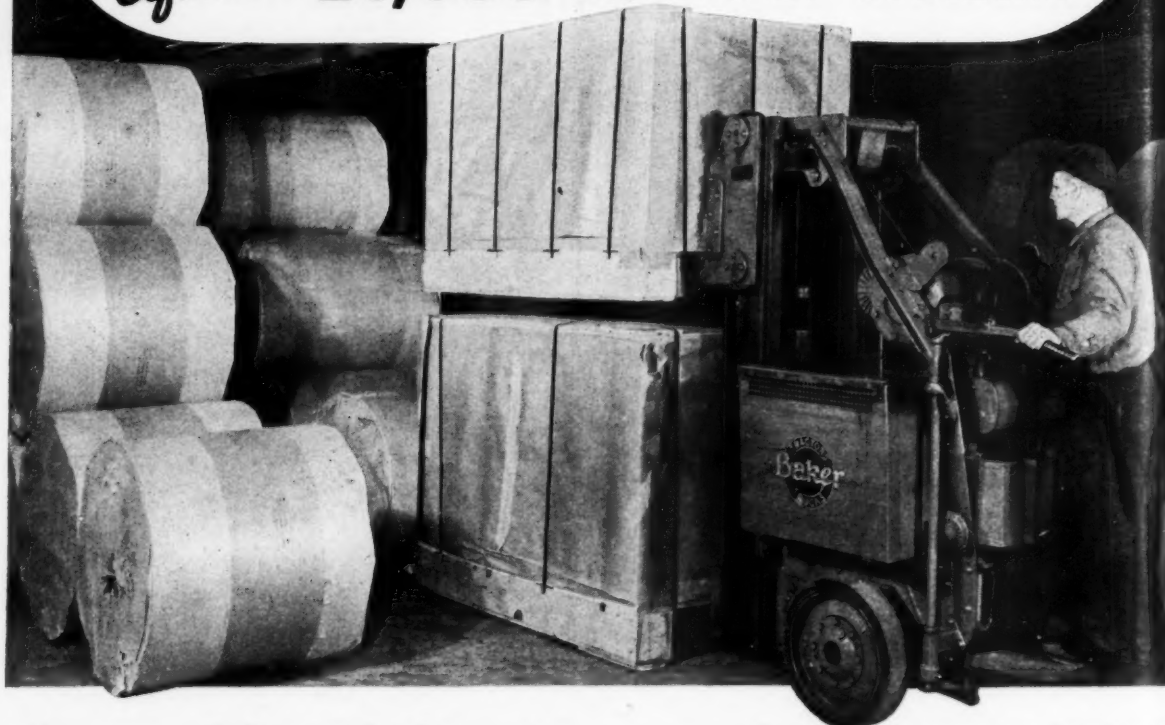
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The few remaining copies will be available, without charge, to new subscribers, while they last.

Further revisions will be published in the August, 1941, issue of DandW.

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Patriotism at a Cost Industry Pays

(An Editorial)

THE will of industrialists to swing into the job of handling the defense needs of the country is all the more commendable when it is considered that they have been pushed around for 7 years by the Government and will now show but little profit for their efforts. This is patriotism to the nth degree, but it is too one-sided; in too many cases, industry has been asked to do things, which even under the pressure of a national emergency could be accomplished in a more efficient manner.

For example, key men, as well as others whose production facilities may be in line for Government contracts, are called to Washington for "discussions" with various boards, only to end same with little accomplishment. These men are there at their own expense and the time wasted away from the factories makes this a double sacrifice that certainly should be eliminated. The answer to this problem may be one of no immediate solution, but it demands serious thought.

Our industrial leaders are only too eager to help, but sight must not be lost of the fact that because these men head their own businesses, they are not in a position to drop their work and come to Washington as dollar-a-year men. Too many of our well-paid Government men seem to be of the opinion that they can pass on their own responsibilities to men from industry. Such burdens entail sacrifices from every angle; sacrifices that only a comparatively few industrialists can make. However, as usual, such sacrifices will be made and will continue to be made until the present emergency is over.

The effort of industry and its success to date to work its production into defense needs has a unity of purpose that is particularly outstanding, especially in the light of restrictions not only on profits but on its dealings with labor. The latter situation is not so promising, what with strikes and demands for more pay, but in particular, the question of clearing the factory rolls of workers whose sympathies are known to embrace doctrines that are inimical to the good interests of the United States. The time may come when the ranks of labor will be purged of such undesirables, but judging from what has happened so far as a result of appeals to the labor board, that phase in national defense does not seem to be taken very seriously.

It is a little confusing for industry to be told what it must do, or else, and then be confronted with this deference to the avowed enemies of the Nation at a time when everyone should be free of all hindrances and threats in order to accomplish a 100 per cent job.

96-Cent East-West Canned Goods Rail Rate Denied

The I.C.C. has ordered suspension until Aug. 23 of the proposed reductions in canned goods rates. Hearings will begin Feb. 25 at the Hotel Rosslyn, Los Angeles, before Examiner Styles. Specifically ordered suspended are the canned goods rates in Supplement 21 to Kipp's Tariff, I.C.C., 1455; Supplement 49 to Kipp's Tariff, I.C.C., 1455; Supplement 36 to Kipp's Tariff, I.C.C., 1452; and Supplement 14 to Kipp's Tariff, I.C.C., 1458.

Also affected in the suspension order are rates on buttermilk, cider, citrus fruit juice, prepared coconut, dextrose solutions, honey, grape juice, prune juice, syrup n.o.s. raisin syrup, and vinegar.

Protests from steamship lines and port interests were filed Jan. 16 with the I.C.C. against the reduction in canned goods rates as proposed by the transcontinental rail lines, which have proposed a reduction from \$1.49 Westbound and \$1.05 Eastbound to 96 cents per 100 lbs. on all canned goods both Eastbound and Westbound. The rate, filed by Agent L. E. Kipp, was to have become effective Jan. 23, 1941.

It was contended that the reduction proposed would result in a total discontinuance of water movement to ports for distribution to the interior, thereby injuring steamship services, terminals and transportation lines.

The protests urged that the Commission suspend the transcontinental rail schedules and institute an investigation on its own motion, it being pointed out that now that the I.C.C. will shortly be charged with responsibility of regulation of intercoastal and coastwise lines, the welfare of such lines fully as much as the railroads is of paramount importance to the Nation's defense and economic stability.

The Commission was also urged to institute a proceeding that will result in suspension of the proposed rates "until an investigation of the whole problem of coastwise and intercoastal shipping with a view of coordination of all transportation services for the up-building of all can be concluded."

The petition also declares that, while it has long been the contention of the transcontinental carriers that their entire rate structure has been depressed because of intercoastal competition, existing transcontinental rates do not reflect either the substantial intercoastal rate increases of recent years or the increased expense of the railroads themselves.

In addition to the opposition to the reduced rates, there were on file requests in support of the proposal. In this regard it was pointed out that due to the present national crisis and shortage of steamship space, it was felt that a reduction via rail should be granted. It was also claimed that the new rate is justified and will develop considerable additional traffic for the railroads; the steamship lines have all the tonnage at the present time that they can handle.

North Carolina Tax Called Illegal

Interstate trade barriers were hit by the U. S. Supreme Court recently when it ruled that a North Carolina tax on out-of-state merchants, not applied against State merchants, was unconstitutional.

The Court stated that the freedom of commerce which allows the merchants of each State a regional or national market for their goods is not to be fettered by legislation, the actual effect of which is to discriminate in favor of intrastate business, whatever may be the ostensible reach of the language.

Involved was an annual privilege tax of \$250 against persons or corporations not regularly retailing in the State, but which carried goods into the State for display for a short time.

The Court stated that the commerce clause of the Constitution forbids discrimination, whether forthright or ingenious, and the Court's duty is to determine whether the statute in its practical operation will work discrimination against interstate commerce. This standard, the Court added, "condemns the tax at bar."

In declaring against this and all similar laws, the Court stated that interstate commerce can hardly survive in so hostile an atmosphere and that a \$250 investment in advance from out-of-State retailers, and not from their local competitors, can operate only to discourage and hinder the appearance of interstate commerce in the North Carolina retail market. North Carolina regular retail merchants would benefit, but to the same extent the commerce of the Nation would suffer discrimination.

Only 4 Wool Storage Proposals Accepted

Approximately 45,000 bales of the approximately 840,000 bales of British-owned Australian wool to be shipped to and stored in the United States in bond have been shipped from Australia. The remainder will be shipped at the rate of about 150,000 bales per month.

According to Jesse H. Jones, Federal Loan Administrator, approximately 336,000 bales will be shipped to West Coast ports and approximately 504,000 bales to the Atlantic Coast ports. This decision is based on the allocation of the ocean tonnage made by the steamship companies with which the Defense Supplies Corp. has contracted for the ocean freight.

Proposals of the Texas City Railway Terminal, Texas City, Texas; Arkansas Compress Co., Corpus Christie, Texas; and the Southern Warehouse Co., Houston, have been accepted by the Defense Supplies Corp. for the storage of the wool coming from the West Coast ports. These proposals were the lowest submitted from points which could be used for storage of this wool, taking into account both storage and insurance costs, and provided for 334,000 single bales or equivalent in double bales at storage rates of from 4.4 to 7 cents per single bale, and 7.9 and 8 cents per double bale per month.

The specific fire rate at these 3 warehouses is from 5.5 to 14 cents per \$100 per annum, which would make the cost of storage and insurance from 9.42 to 10.74 cents per double bale per month. Perhaps as much as 80 per cent of the wool will be double-dumped.

Mr. Jones also stated that all proposals for the storage of wool to be moved through Atlantic Coast ports, except that of the Nauset Warehouse Co., New Bedford, Mass., had been rejected, and that the Defense Supplies Corp. had designated Jan. 27 as the date for new proposals to be submitted on wool still to be moved to Atlantic ports.

The Nauset Warehouse Co. was the lowest qualified bidder and offered space for 100,000 single bales or equivalent in double bales at rates of 6.48 cents per single bale and 9.95 cents per double bale per month. The specific fire insurance rate applicable to the space offered by this warehouse is 15 cents per \$100 per annum. This would make 12.95 cents the cost of storage and insurance for each double bale per month.

Must Pay for Cars Delayed by Strike

Holding the Worden-Allen Co., Milwaukee, responsible for tying up 14 freight cars of the Chicago & North Western Railway Co. and the Chicago, Milwaukee, St. Paul & Pacific Railway Co. during a strike at the plant from Aug. 5 to Nov. 13, 1934, Circuit Judge Otto H. Breidenbach at Milwaukee, Dec. 23, ordered the company to pay \$3,906 to the former firm and \$1,507 to the latter railway.

Some of the railroad cars contained supplies for the company and others were waiting to be loaded. The cars were in the company yards before the strike started and, according to the testimony, the Milwaukee road was unable to get switch engines through to the plant on Aug. 10, 1934, because pickets sat or lay on the rails.

The court held the firm responsible for the delay in returning the cars to the railroad under a Wisconsin law which requires customers to return cars to railroad service within a reasonable length of time or pay demurrage charges.

The judge ruled that continuance of the strike did not relieve the company of the responsibility. The company contended that the railroads did not make sufficient efforts to get the cars out of the yards.—W.T.N.B.

1942 Cannery Convention May Be in New York

There is a move on hand to hold the 1942 annual congress of the food industries in New York City, instead of in Chicago. Thus, for the first time in 14 yrs., this big event with an attendance of upward of 20,000 would be transferred to another point. The National Cannery Assn., one of the many organizations participating in this annual congress, is seriously considering New York and will vote on the question early in the Spring. The Canning Machinery and Supplies Assn., 2nd in magnitude to the cannery group, has already taken an option on the Grand Central Palace in New York for its 1942 exhibit. Executives of the Cannery group declined to be quoted officially, but privately expressed the belief that New York will be chosen. They revealed that Atlantic City had invited the gathering for 1942, but that the bid had been rejected.

Parker, DandW's Legal Editor, to Address Mayflower Meeting

Leo T. Parker, legal editor of DandW, is listed as a special feature at the 10th annual convention of the Mayflower Warehousemen's Assn., to be held Feb. 5 to 8 at St. Louis. Mr. Parker will relate what is needed to know and to meet legal liability in order to have protection from legal penalties.

With some recent court cases growing out of fires in warehouses, the subject of the warehouseman's liability has come in for considerable attention. Mr. Parker will cover that subject and will also answer questions on other points. He was admitted to practice before the Supreme Court of Ohio in 1922 and 3 yrs. later became the attorney and counsellor of the U. S. Circuit Court of Appeals. For the past 15 yrs., Mr. Parker has maintained records of all higher court cases involving warehousemen and storage firms.

A.W.A. Seeks Investigation of Split-Delivery Tariffs

The American Warehousemen's Assn., merchandise division, on Jan. 8 filed a petition with the I.C.C., asking it to investigate, upon its own motion, provisions of tariffs now in effect in the South, Southwest, and West territories, relative to the unloading of package car freight, its sorting of this freight into different lots and for split delivery, and for reforwarding in l.c.l. lots.

The petition is presented also in behalf of the Southwest Warehouse and Transfermen's Assn., the Minnesota-Northwest Warehousemen's Assn., the Missouri Warehousemen's Assn., the Colorado Transfer & Warehousemen's Assn., the Iowa Warehousemen's Assn., and the Wichita Warehouse & Transfermen's Assn.

The petition states, "Your petitioner urges that your honorable Commission's investigation be not limited to

Convention Dates

Feb. 3-8—21st Annual Convention, National Furniture Warehousemen's Assn., Arlington Hotel, Hot Springs, Ark.

Feb. 5-8—10th Annual Convention, Mayflower Warehousemen's Assn., St. Louis, Mo. Hotel Statler.

Feb. 6—Annual meeting and dinner of Traffic Club of Cleveland, Ohio.

Feb. 9-12—Semi-annual meeting of the Independent Movers' & Warehousemen's Assn., Inc., Hotel Gibson Cincinnati, Ohio.

Feb. 11-14—Golden Jubilee Meeting, American Warehousemen's Assn., Edgewater Beach Hotel, Chicago.

Warehouse Group Meetings:

American Chain of Warehouses, Inc., Feb. 9.

Allied Distribution, Inc., Feb. 10.

Distribution Service, Inc., Feb. 11.

Feb. 21—Annual dinner of Traffic Club of New York, Hotel Commodore.

Feb. 22—Annual convention of California Van & Storage Assn., Del Monte.

Mar. 26—Regular meeting of the Great Lakes Regional Advisory Board, Buffalo, N. Y.

Apr. 1-4—Packing Exposition of the American Management Assn., Hotel Stevens, Chicago.

April 3—Annual dinner of Junior Traffic Club of Chicago.

April 29-May 1—29th Annual Convention, Chamber of Commerce of the United States, Washington, D. C.

May—First Tuesday—Annual Meeting, California State Council of the American Institute of Traffic Management, San Francisco.

May 5-7—Spring meeting of Associated Traffic Clubs of America, at George Washington Hotel, Jacksonville, Fla. Fall meeting in Milwaukee.

May 8-10—Annual Convention, Texas Motor Transportation Assn., Dallas, Tex.

October—Annual meeting of Southwest Warehouse and Transfermen's Assn., Houston, Tex.

the railroads' practices in the premises, but also that competitive trucking practices be included, particularly those on account of which the carriers have urged there is competitive reason for these tariffs re unloading of carload freight, split delivery, local delivery, and/or reforwarding services."

Other reasons set forth in the petition as to why the tariffs should not be allowed to continue are that they are unduly preferential for certain classes of traffic; that they are applicable to carlot freight moving under transit rates and that such freight is not competitive traffic; that the charge made for the service performed is not remunerative to the rails; and that allowance of the tariffs is merely an expedient measure and not remedial.

Pittsburgh to Issue Freight Rate Questionnaire

The Shippers' Council of the Pittsburgh Chamber of Commerce proposes to issue in February a freight-rate questionnaire in connection with the I.C.C. investigation of class rates. This data, to be collected from 200 rail and truck shippers, will form the basis for possible testimony at the I.C.C. hearings.—Lef-fingwell.

How SPOT STOCKS Help Build Sales of Rival Dog Food

THE growing knowledge of the proper care of pets has given rise to an ever-expanding new industry, devoted to the manufacture of a variety of products used in the care and handling of canine and feline pets, as well as the scientific preparation and packaging of their foods.

As humans have become more conscious of the importance of sanitation in the handling, packaging, and distribution of their own foods; as they have become more aware of the importance of vitamins to their own health; so have they in turn recognized and demanded the same care in the preparation of the

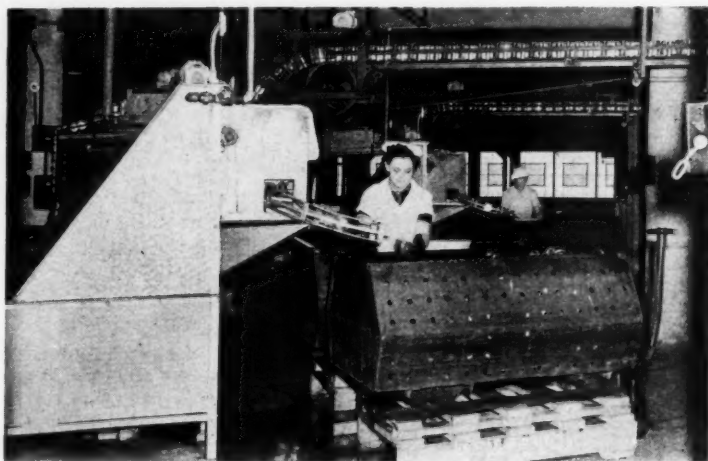
food rations of their household pets.

That there is a demand for packaged food products for both dogs and cats is evidenced by the fact that in moving into the newly constructed plant in the Central Manufacturing District's Crawford Avenue Development on Chicago's Southwest side, the Rival Packing Co. is occupying the 3rd premises into which the company has been obliged to move since it began the manufacture of Rival products in 1932. Each move into larger quarters has met the demand for increased production necessitated by a rapidly expanding business.

The use of public warehouses at strategic points has played an important part in the distribution of Rival products. In the short period of 5 yrs., the demand for Rival products has grown to the point that spot stocks have had to be maintained at such points as Boston and Springfield, Mass.; Hartford, Conn.; Newark, N. J.; Philadelphia; Spracuse, N. Y., and other places so as to provide better dealer service at locations remote from the Chicago plant. This has curtailed shipping expenses, since shipments to warehouse points are all in car-load lots. The amount of stock maintained at these points is watched very carefully and replenished when necessary. The movement of the stock into the respective warehouses depends entirely on the market demands of each locality.

It might be added in passing that the company is a consistent advertiser in newspapers, over the radio, and in the use of outdoor and store displays, with the result that Rival is said to be one of the largest selling canned dog foods in many markets and among the leaders in every market it enters. All Rival products are sold through wholesalers, chain, and independent retail stores and pet shops, being steadily pushed for volume sales. Reshipment from warehouse stocks into the adjacent territory is by either rail or truck, the traffic department at the home office reserving the right to make the decision as to what carrier shall be used.

In the new 3-story-and-basement structure of flat slab, reinforced concrete construction, scrupulous care, sanitation, and spotless cleanliness in all departments are constantly maintained. At noontime,



Cans coming from automatic filling and closing machines discharge into large perforated steel containers. These, when filled, are moved to the retort line for cooking.

Electrically-operated can dumping machine emptying cans onto a moving belt, where they are automatically straightened into lines leading to conveyors going to the labeling and packing department.





The electric lift truck speeds up loading operations at the Rival Packing Co. plant.

during the lunch hour shut-down, scrubbing crews enter the operating floors with hose streams of live steam and hot water, cleaning away any collections of debris left from the morning work period, so that the afternoon production work starts with clean equipment and surroundings. Every night the entire plant is scrubbed from top to bottom.

Mechanical Aid

Straight line production, with a minimum of handling is in vogue throughout this plant, practically every phase of the various production operations being carried on by mechanical aid. Conveyors carry empty cans in an endless stream to the 3rd floor, where they pass beneath automatic filling and closing machines adjacent to the meat grinders and mixers. All fresh meats, awaiting processing, are stored in freezer rooms located in the basement. These freezers have a capacity of more than 1,000,000 lbs. Two identical boiler units and ice machines are also installed here so that in the event of a breakdown a spare is always ready to be pressed into service.

From the closing machines the filled and sealed cans are discharged into huge perforated steel containers mounted on dollies which, with the aid of an electric truck, are shunted into large retorts for cooking. At the expiration of the cooking period, the retorts are opened, when an electric truck comes along and, hooking onto one of the dollies, draws it from the retort, and takes it with its con-

tainer full of blistering hot cans to the cooling section.

When sufficiently cooled, the containers are moved to a can dumping machine which discharges the cans onto a moving belt, where they are automatically straightened into line and passed onto another conveyor which takes them to the labeling machines located on the 2nd floor. Here, after being automatically labeled, the cans are separated into 4 moving lines which assemble 48 cans in a hopper, which in turn automatically discharges each batch of 48 cans directly into a fiberboard shipping container. As these containers move along on a conveyor, the tops are closed and glued, with scarcely the touch of a human hand, and assembled on skid platforms ready to be sent to storage or to the shipping floor for loading on trucks and rail cars.

Additional Product

Another item that is processed and packed by the Rival company is Rival cat food. This item is packed in 7½ oz. tins, and for shipment in containers of 2 dozen per carton. It is stored in the warehouses for quick deliveries the same as Rival dog food, and in every other way handled the same as the dog food.

Much of the shipping of Rival products to points in the Middle West within good highway distance of Chicago, is handled by motor truck carriers. A trucking dock at the plant accommodates 8 trucks, while along the West side of the new plant building is a rail siding served by the Chicago River and

Indiana Railroad, one of the switching lines serving the Chicago terminal.

For loading the cartons of cans onto rail cars or motor trucks, electric lift trucks are used. The cartons all being of the same weight and size, are easily stacked in the cars without the necessity of bracing. A car loading usually consists of 40,000 lbs.

A testing laboratory is maintained for testing samples of raw material as they are brought to the plant and for carrying on scientific feeding experiments.

New Management Firm in Jacksonville

A new development in the transportation field is indicated by the formation, announced Dec. 6, of the Southeastern Utilities Co., a management organization which will operate in Georgia, Alabama and Florida from headquarters in Jacksonville.

Nieuport B. Estes, president of several Jacksonville companies including Orange Lines, Inc., Blue's Truck Lines, Motor Fuels, Inc., Colonial Oil Co. and Motor Transit Co., is managing director of the new firm. James Moore, for many years an executive of the White Motor Co., will be supervisor of accounting, and S. B. Kasewitz will be general counsel.

Mr. Estes has stated that more than \$2,000,000 annually will be spent by the new firm for tires, gasoline and supplies on contracts made through the Jacksonville offices in the Graham Bldg.—Lord.

Revision of

The Sherman Law

Will Make It More Effective and Useful

By Felix H. Levy

EDITOR'S NOTE:—Felix H. Levy, an accepted authority on anti-trust, fair trade and other legislation vitally affecting our commercial structure, is a prominent member of the New York Bar. Under President Theodore Roosevelt's administration he was Special Assistant to the United States Attorney General and Special Counsel to the Department of Justice in the Sherman Law prosecution of the Tobacco Trust. Having served as counsel for a widely diversified group of prominent business firms, whose cases were of outstanding importance involving prosecutions under anti-trust laws, and as counsel for a score of major trade associations, Mr. Levy enjoys a rich background as an authority on such legislation—highly competent as an attorney yet thoroughly sympathetic in his understanding of distribution problems and of the requirements of business generally. From these experiences he proposes a simple, clearly stated and brief amendment to the 50 year old Sherman Law—providing this legislative protection against monopoly with a desired and needed flexibility without robbing it of any of its essentials. In this article Mr. Levy explains the merits and defects of the Sherman Law and offers the text of the proposed amendment.



Felix H. Levy

IN an article by me in another publication last year, I sought an answer to the question why American business men find the Sherman Law confusing and perplexing despite the long period of time in which that law has been in existence and in spite of the many thousands of decisions rendered by our courts in relation to it.

Attention was then called to the fact that this state of confusion was principally due to decisions of the Supreme Court that a cooperative agreement among competitors "is not excused because it was induced by good motives or produced good results"—the result of which has been to prevent business men from utilizing the principle of cooperation and compelling them to pursue methods of unrestricted competition.

The Sherman Law has been interpreted to condemn and forbid agreements among competitors, with declared disregard of whether such agreements promote or impair the public welfare; to that extent the Sherman Law constitutes a strait-jacket upon American business which has caused serious damage.

Prefacing the presentation of the suggested remedy, fairness requires strong approval of many, indeed of most of the prosecutions which have recently been instituted by the government, because they have disclosed a variety of conditions existing in American industry which are clearly opposed to the public welfare—nor are the views here expressed intended to impair the full potency of the Sherman Law in dealing with such situations.

Just as is the case with many of our important stat-

utes, the Sherman Law is derived from the common law of England. It is a significant fact, however, that England and, perhaps more impressively, its two most progressive and forward-looking dominions, Canada and Australia, have long since abandoned the old common law principles which formerly governed the subject, while the United States has retained these principles in their age-old rigor.

By means of gradual development in the judicial interpretations of the Sherman Law, its scope was extended beyond the field of monopolistic business, into the domain of general business, that is to say, business not characterized by monopolistic or oppressive purposes. It was thus extended into business situations where competitors undertook to correct conditions of excessive competition which threatened the welfare of their industry and seemed even to imperil its future existence. Such extension found expression in decisions of the Supreme Court which declared:

"... a combination is not excused because it was induced by good motives or produced good results."

Many decisions show that the Sherman Law rigorously asserts and maintains the doctrine of unrestricted competition and forbids the principle of cooperation.

A totally different principle prevails in Great Britain, Australia and Canada. In those countries cooperative agreements designed for the welfare of an industry, and not injurious to the public welfare, are regarded as lawful. In this country, the principle of competition based upon the ancient maxim that "competition is the life of trade," has been emphasized and enforced solely

upon the standpoint that the interests of the consumers are alone to be considered, and that consequently all cooperative agreements affecting the important elements of production, territory and prices, are deemed unlawful because of the likelihood that their effect will be to increase prices to consumers. In Great Britain, Australia and Canada, a different principle prevails, namely that the interests of the public as a whole should constitute the standard by which the subject is governed. In other words, the policy of these other English-speaking countries is based upon a consideration of the welfare of the public as a whole, including in that designation not merely consumers, but also labor and industry.

The Australian statute which corresponds to our Sherman Law, is entitled "The Australian Industries Preservation Act." This title is significant as indicating that the primary purpose of that statute is the prohibition of acts in restraint of trade only when they threaten the existence of the Australian industries, although decisions show that appropriate power exists to prevent undue, unreasonable or extortionate prices to consumers.

Australian Statute

The Australian statute contains the express statement that cooperative agreements shall be declared to be unlawful only when they are "to the detriment of the public," or when such agreements are committed.

"With intent to destroy or injure by means of unfair competition any Australian industry, the preservation of which is advantageous to the Commonwealth, having due regard to the interests of producers, workers and consumers."

As illustrative of the greater flexibility of the Australian statute and its freedom from the rigor of the Sherman Law, the following quotation from a decision of a high English court is pertinent:

"It was also strongly urged that in the term 'detriment to the public' the public means the consuming public, and that the legislature was not contemplating the interest of any persons engaged in the production or distribution of articles of consumption."

The court then proceeds to say that it does not—

"take this view, but the matter is really of little importance, for in considering the interests of consumers it is impossible to disregard the interests of those who are engaged in production and distribution. . . . It can never be of real benefit to the consumers of coal that colliery proprietors should carry on their business at a loss, or that any profit they make should depend on the miner's wages being reduced to a minimum. There is in this respect a solidarity of interest between all members of the public. . . . To prove an intention to injure the public by raising prices, the intention to charge excessive or unreasonable prices must be apparent."

In full contradiction of the views thus expressed, are the decisions of our Supreme Court in the Trenton Potteries case and in the Madison Oil case—in both of which it was declared that agreements as to prices are unlawful even though such prices are reasonable and even though they were agreed upon for the purpose of correcting injurious conditions of excessive competition. This contrast is also displayed by the decisions of our courts which declare that an agreement among competitors "is not excused because it was induced by good motives or produced good results."

Canada

The corresponding statute of Canada, in defining what shall constitute unlawful restraints of trade, declares cooperative agreements unlawful when they

"have operated or are likely to operate to the detriment or against the interest of the public, whether consumers, producers or others."

Thus in Canada, just as in Great Britain and in Australia, the paramount purpose of the law is to give protection to the Commonwealth as a whole and, in doing so, to give proper consideration to consumers, labor and industry.

In a Canadian prosecution brought against an association of coal dealers, it was shown that members had entered into an agreement for the purpose of maintaining the retail prices of coal, in order to prevent ruinous competition which existed in their industry.

In dismissing a complaint which had been made against this situation, it was said:

"Having regard to these abuses, which have been a real menace to the coal trade and a loss to producers for many years, one can scarcely find fault with the efforts of the Association, or others, to suppress such activities. . . . Upon these grounds I have come to the conclusion that, in its activities in endeavoring to limit or prevent this unfair competition, it has not operated to the detriment of, or against the best interests of, the public."

In a report made a few years ago by an important American industrial association the following was said:

"With an industrial productive capacity in certain lines far greater than America's present consumptive requirement, and with the ruinous competition which such a situation invites, has the time not come when industry should probably consider seriously the altering of the Sherman and Clayton Acts, with the idea of more elasticity with respect to intelligent cooperation between, and possible combinations of, comparable but competitive of destructive enterprises? Continental and British jurisprudence approaches the matter of combination with the dominant idea that the whole public is to be safeguarded; American jurisprudence looks only to the consumer."

We thus find that in Great Britain, Canada and Australia, a system prevails whereby the advantages which commonly result from honest efforts at cooperation, are deemed lawful while, at the same time, the power is reserved to forbid and prevent cooperative agreements which are injurious to the public welfare. Moreover, in the determination of injury to the public welfare, the interests of the entire public are given full consideration by the express declaration in both the Australian and Canadian statutes, that due regard must be given to the interests of producers and workers as well as of consumers.

Forbids Cooperation

Unlike the judicial principles which prevail in Great Britain, Australia and Canada, our anti-trust laws forbid cooperation among competitors, regardless of the good results and of the good purposes which may characterize such cooperation.

Our system is based upon the mistaken theory that competition, although relentless and mutually destructive, is commendable and desirable, merely because it tends to lower the prices of commodities to consumers. This is economically unsound because it fails to take into account the welfare of those who are engaged in production, namely manufacturers, merchants and workers.

Although the safeguarding of low prices to consumers is an important and desirable objective, it is by no means the sole factor, or even the principal factor, in protecting the public welfare. It is equally, if not more important that labor on the one hand, and manufacturers and distributors on the other hand, shall be able to earn an adequate return for their expenditure of work and for their investment of capital. As was stated in the English decision above cited, there is "a solidarity of interest between all members of the public."

While it is true that consumers comprise the entire public, it is also true that the consuming public also

(Continued on page 81)



Fig. 1—Those present at New York meeting to discuss pallets and fork trucks, reading from left to right: E. A. Carlson, Mercury Mfg. Co.; C. K. Drury, Yale & Towne; E. Frank, Mercury Mfg. Co.; J. P. Ascher, Elwell-Parker; P. Wyman, Elwell-Parker; J. Meikle, Elwell-Parker; J. Weigt, Electric Storage Battery; R. L. Smith, Automatic Transportation; J. Shallow, Philco Storage Battery; E. W. Schonnemaker, Automatic Transportation; Charles Bell, 2nd, Automatic Transportation; F. A. Babcock, Baker-Raulang; M. W. Potts, coordinator and consulting engineer, Pallet Sales Corp.; M. A. Lowe, vice-president, Pallet Sales Corp.; N. Enello, Baker-Raulang; A. S. Rampell, Willamette Hyster; F. E. Spooner, editor, DandW; A. A. Moore, Towmotor Co.; W. B. Davis, Jr., Towmotor Co.; E. L. Leeds, Crescent Truck; E. Laffey, Gould Battery; Mr. Urquhart, Factory Management; C. C. Haddrell, Automatic Transportation; and R. L. Harriman, Automatic Transportation. J. Tinlin and H. Madden, Clark Trucktractor, also attended the meeting.



Fig. 2—Palletized unit loads, unwrapped and wrapped. (Courtesy, Automatic Transportation Co.)

Coordination

Materials Handling Meeting of Allied Manufacturers discusses Pallets and Fork Trucks

IN the January issue, we asked the question: "ARE PALLET SHIPMENTS POSSIBLE?" and already we have a response that not only are they possible, but they have actually been taking place.

A number of plants are already demanding that their materials be packed and shipped on pallets, in unit loads, so as to reduce their handling costs.

Because of the many factors involved, in coordinating better materials handling methods, the writer, in his capacity as coordinator and consulting engineer for Pallet Sales Corp., sent out invitations to representatives of the power lift truck industry in the New York Metropolitan area to attend a dinner and discuss the important subject of pallets and lift trucks. At this meeting, held in the Hotel Commodore, Jan. 3, 1941, there were a number of representatives of lift truck manufacturers, representatives of the storage battery industry, and editors of trade papers. The photograph, Fig. 1, shows those present, and the caption gives their names and connections. It will be noted that the meeting included the materials handling power lift truck industry, both from the standpoint of electric-powered and gas-powered vehicles.

At this meeting, an open and frank discussion was had in reference to pallets, the need of coordinating information regarding pallets, and the proper methods to be employed for assisting the customers who desire to obtain pallets in connection with the use of fork trucks.

When the idea was first suggested that the representatives of the materials handling power lift truck industry be called together for a meeting, it was thought that there might be difficulty, due to the competitive spirit, not only among the electric power truck manufacturers themselves, but also between them and the gas-power truck manufacturers.

However, since the meeting was primarily for the discussion of pallets, a very friendly spirit prevailed, and a number of valuable suggestions were made by the different representatives. It was agreed by all that



tiLeads to Progress

By MATTHEW W. POTTS
Materials Handling Editor

there was a need to coordinate information regarding pallets, the palletizing of unit loads, the packing and strapping of materials on pallets, and the use of containers and shipping crates equipped with runners, so that they could be easily handled by means of fork trucks.

It is hoped that similar meetings can be held in other metropolitan areas, such as Chicago, Philadelphia, Boston, etc. It is also hoped that the representatives of the lift truck industry and others who are interested in this important subject will send in to *D and W* their ideas regarding proper pallets, method of packing, etc., so that these ideas can be coordinated, and some sort of standardization introduced. This will permit simplifying the types of pallets to be constructed, thereby making for greater flexibility in interplant and interstate shipments.

D and W has published many illustrations showing palletized unit loads, but sufficient information has not been obtained regarding the loads, or their packing requirements. For example, see Fig. 2. Here we see the application of a fork truck handling palletized unit loads of sheet metal, some of which are wrapped and steel strapped to the pallet, while others are not wrapped. Naturally, the question arises: "Are these loads shipped wrapped or shipped unwrapped?" It is, of course, realized that they might be shipped either

way, but we feel that the readers of *D and W* are interested in knowing more of the details regarding the methods of packing. We are hoping to be able to bring this information to them in future articles.

Fig. 3 shows illustrations of 2 different palletized unit loads, one being flat unwrapped steel coils, strapped to wooden pallets, in the form in which they are shipped, and the other, a load which appears to be steel plate, strapped and wrapped on a wooden pallet.

At first glance this might look like a very satisfactory installation, but we are wondering why the wrapped load is being handled in this manner by the fork truck. In the first place, the pallet runners are placed in the direction of the longest measurement of the load, which would require a large capacity fork truck for picking it up in this lengthwise manner. It will be noted that the fork truck has picked the load up from the short side, but this necessitates the use of dunnage blocks between the loads, in order for them to be easily picked up by the fork truck for future handling. No doubt this pallet could have been designed with the runners placed the short way of the load, thereby eliminating the use of this dunnage material and permitting the picking up of the load in the proper manner—thus increasing the speed of operation.

Our preliminary investigations have shown that

Fig. 3—Why does the truck pick up the load from the side? (Courtesy, Automatic Transportation Co.)



Fig. 4—If this unit package were equipped with runners, its handling with fork trucks would be simple. (Courtesy, Clark Tractor Co.)



Fig. 5—Packing crates with cleats are palletized unit loads. (Courtesy, Elwell-Parker Co.)



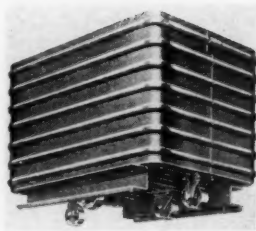
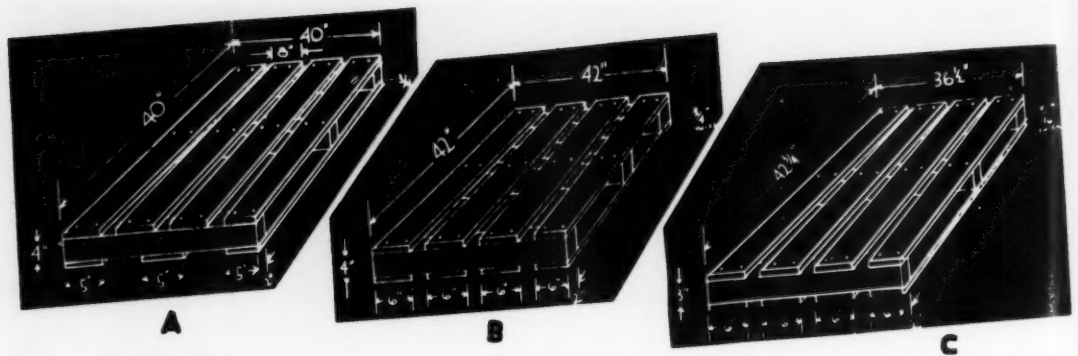
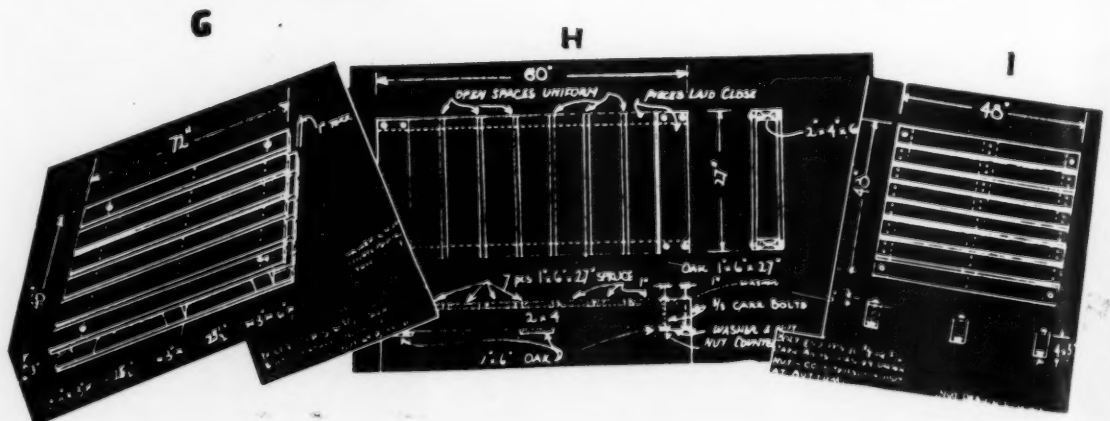
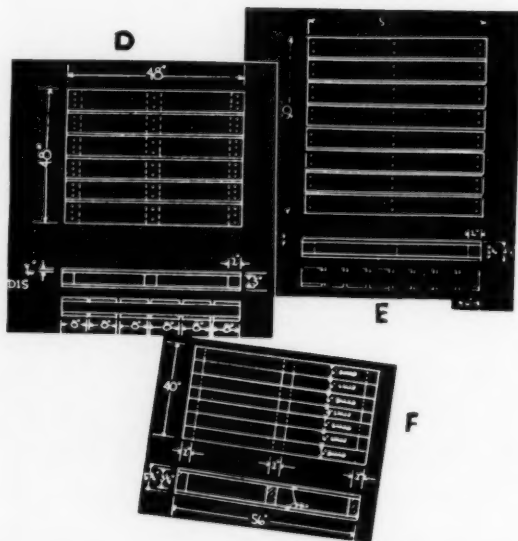


Fig. 6—Tote boxes for storage, lift truck handling, and as hand trucks, have special advantages. (Courtesy, Union Metal Mfg. Co.)



In checking the various pallet designs and specifications, submitted by fork-truck users within a month or so, particularly A, B, and C, it will be noted that there is a lack of standardization, something vitally needed to help the manufacturer. A, B, and C have practically the same design, but A calls for an 8-in. wide and 5-in. wide by $\frac{3}{4}$ -in. thick boards, and 2 by 4-in. runners. B calls for 6-in. wide by $\frac{3}{4}$ -in. thick boards and 2 by 4-in. runners. C calls for 6-in. wide by 11/16-in. thick boards and 3 by 2-in. runners. D, E, and F are practically identical units, except for the square area—yet, one calls for 6-in. wide boards, the other for 8-in. D has a 3 by 2-in. runner; E has a 2 $\frac{3}{4}$ by 2-in. runner; and F has a 3 $\frac{3}{4}$ by 2-in. runner. Here again, simplification of lumber sizes would be advantageous. G, H and I are special pallets for special purposes. Designs on these are just as numerous, and they are shown to indicate that pallet design is something which should be given very careful consideration. (Courtesy, Pallet Sales Corp.)

pallets are specified with various thicknesses and widths of lumber for the same square area, and it is felt that there is room for standardization on pallet specifications for given sizes, to permit a simplification in the manufacture of these pallets.

The accompanying diagrams illustrate a few of the various sizes of wooden pallets which have been constructed by one manufacturer to meet his customers' demands. It is felt that if some thought were given to the matter, many pallets could be standardized.

In the handling of unit loads, it is not always necessary to have the pallets separate from the container or inclosure. A number of commodities can be packed in their regular containers, and if the container is equipped with runners, it makes the whole container a complete palletized unit load for shipment.

For example, if the cases shown in Fig. 4 were equipped with runners, it would be possible for the fork trucks to handle them without the placing of dunnage, and since these units are being handled by this type of equipment, the use of runners would make

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The Story of INSURANCE

by HOWARD S. TIERNEY

ALTHOUGH insurance generally is considered a plan to protect assets for a small annual outlay, it also plays a very important part in the business of the country purely because of its financial facilities. With a premium income in 1939 of close to \$8,000,000,000, or approximately 15 per cent of the national income, all of the large insurance groups and many of the individual companies maintain financial departments with economists and statisticians constantly following their investment portfolios.

Income for Loans

Life insurance companies alone, in the year of 1939, had an income of close to \$6,000,000,000. Assuming that this income was received equally each day, we realize the importance of these companies having available daily investment facilities where an income of \$16,000,000,000 can be invested. This requires careful planning and study for long periods into the future. Since the State insurance departments require large surpluses to be maintained, in times of stress this large daily income need not be invested but can be accumulated to absorb the shrinkage in their investment portfolios. All life insurance policies, excepting term insurance, permit the policyholder to make loans directly from the company up to a certain percentage of the premiums paid. Although some policyholders avail themselves of these facilities to continue the insurance, during periods of insufficient income, many of these loans have been the only means available to maintain the families and businesses of the policyholders. During the past depression this type of investment, which is secure and profitable to the insurance company, reached huge proportions, and in order to assist the companies in meeting these abnormal demands, the insurance departments directed that certain periods must elapse before the funds which had been applied for would be available.

Keeping in mind that all licensed companies must operate under the supervision of the insurance department of some State, it can properly be said that insurance companies are investment trusts, strictly regulated and supervised

IN this article, his 3rd of a series, Mr. Tierney clearly shows how important a part insurance plays in the business of the country.

About 15 per cent of the national income is represented in insurance premium income, hence, it is of vital interest to every citizen that this industry be maintained and protected against becoming a branch of the Federal Government, or involved in any way in settling its debt.

Mr. Tierney's 4th article, which will appear in the March issue, will explain agencies and brokers, how they operate and what to expect from them in the form of service.

under laws which restrict them to certain approved types of investments. Insurance company stocks, therefore, offered an opportunity to the small investor who believed in the investment trust plan long before the Federal Government created the Security Exchange Commission which is giving investment trust management so much study.

Interest Rate Reduced

The policies indicate the rate of interest which the borrower shall pay, and only recently has this rate been reduced from 6 to 5 per cent, which is in excess of the present market rate of interest. This has enabled finance companies to offer loans on life insurance policies at a lower rate of interest than that provided in the policy, and many of these loan companies are, therefore, doing a substantial business in that field. This loan feature requires that a certain amount of the funds of the company be kept in liquid form, which accounts for the considerable balances carried with local banks (as will be referred to later). These funds are used by banks for loans to their depositors.

The 1939 financial statements of 176 life insurance companies (which accounts for 96 per cent of

the business written) indicates a capitalization in excess of \$143,000,000 and surpluses in excess of \$1,500,000,000. These companies show assets in excess of \$30,000,000,000, the difference between their capital, surplus and assets representing the substantial reserves required by law. When one considers that the national debt in December, 1939, was approximately \$41,000,000,000, one can appreciate the gigantic resources involved.

It is interesting to follow how the assets of these companies are invested. Assets amounting to 5½ per cent are invested in real estate, either in buildings used as offices, or properties which have been secured through foreclosure. The latter class, in most instances being property which the insurance companies cannot use for their own purposes, are rehabilitated and sold either at a profit or a loss, as life insurance companies generally are not permitted to own real estate, other than that which they may need for the operation of their business. In some instances, particularly farm properties, it has been necessary for the insurance companies to continue ownership for several years, due to the present economic conditions. This fact is reflected in the substantial subsidy payments made by the present Federal Government to many of the life insurance companies.

As over 15 per cent of the assets are invested in mortgage loans, this constitutes a very substantial part of the total assets of life insurance companies. The entrance of the Federal Government into the mortgage field through Home Owners' Loans, Reconstruction Finance, and other forms of mortgage loans, has not conflicted materially with life insurance companies, but, instead, has taken business from private mortgage companies. These mortgage companies did not operate extensively in loans on farm properties, but confined their business principally to dwellings, hotels, offices and other similar types of buildings. A large part of the mortgages placed with the mortgage companies prior to the depression has been absorbed by life insurance companies as well as by the Federal Government.

The average individual who loses

a property through foreclosure, caused generally by depletion or obsolescence, with a consequent reduction in its income, has not the capital to rehabilitate the property; nor did the private mortgage companies during their brief operation show a disposition to help out. It is the practice, however, of most life insurance companies to salvage their investment. The conservative amount of the mortgage loan in relation to the fair value of the property and the ability to continue the usefulness of the property, even when economic conditions overcome the average investor, have served as a great buttress to the real estate of the country. This source of funds has been most important in the construction and building development of this country, as many of the life insurance companies invest a portion of the premiums collected in any particular State in investments in the same State.

Bonds

More than 25 per cent of their total assets are invested in bonds. Keeping in mind the supervision and regulation by the insurance departments, it is interesting to note the substantial investment life insurance companies make in this type of financing. The asset value of the bonds is not the original cost, but an amortized valuation arrived at under a formula prescribed by the insurance departments; consequently the original investment may have been many times the amount represented in the figures for 1939. The bonds of railroads for many years were considered prime investments and were approved by both the banking and insurance departments of most of the States for insurance companies; consequently, even today, insurance companies hold substantial interests in these properties, yet their value as assets has been greatly reduced to represent the present value. No industry or individual could have absorbed the terrific shrinkage which has taken place in this situation alone compared to the manner in which it has been absorbed by insurance companies. If the railroads are ever to any extent rehabilitated, the assets of many companies would be very substantially increased.

When the depression affected real estate and the security market dried up, as it did during the past 8 yrs., life insurance companies sought new fields in which their funds might be safely invested. Since they are obligated to their policyholders to keep these funds invested, life insurance companies have been forced to become competitors with banks and security houses in the underwriting of bond

issues. When there was a free security market and plenty of sound investments available, insurance companies were not interested in absorbing entire issues, but with conditions as they have recently existed, it has been necessary for them in order to employ their funds to purchase entire bond issues. At the present time the American Telephone and Telegraph Co. is reported to be considering a refinancing operation covering \$100,000,000 of securities through insurance companies.

This relatively new field of industrial financing is in the nature of a mortgage on the plants and equipment of manufacturing concerns, quite similar to the mortgages on real estate. In addition to providing a source where their funds might be invested, it has added considerable capital to industry at a time when greatly needed. Whether the advantage to business as a whole offsets the unfortunate loss of earnings by the security business, only time will tell, but these investments have been made only after most minute and careful investigations on the part of insurance companies.

It is common gossip that one of the most recent scandals involving a nationally known firm was uncovered largely through the searching investigation made by a life insurance company which contemplated purchasing a substantial bond issue to retire the outstanding preferred stock. The distribution expense of a bond issue sold to one or 2 insurance companies is far less than distributing a bond issue in small lots throughout the country.

Stocks

A study of life insurance companies indicates that less than 1½ per cent of their assets are invested in stocks (which are principally preferred stocks, although some insurance departments do permit investments in common stocks when the stocks have established a dividend paying record over a period of years). If the trend of the investment market continued as it has during the past few years, it is likely that this type of investment will be reduced still further with an increasing amount of investment in bonds.

These companies show slightly over 3 1/3 per cent of their assets in cash as of Dec. 31, 1939. This substantial sum, in addition to being available for the use of the banking business, is maintained for policy loans as well as benefits and claims under their policies. It is interesting in this connection to note that during the first 6 mos. of last year, one of the 10 largest life insurance companies paid more

than 200,000 claims, involving disbursements in excess of \$100,000,000. Of these claims, more than 3 per cent represent claims on policies less than one year old.

A study of the financial statements of the companies indicates that approximately 7 per cent of their assets had been loaned to their policyholders. This is a very preferred type of loan, both because they secure a substantial rate of interest, and are fully collateralized by the reserves necessarily carried to meet these obligations. The advantage to the borrower is that a ready source of funds is available to him in an emergency, without the filing of financial statements, obtaining endorsers, or the need of repaying the obligation within a short period of time.

Fire and Casualty

The investments of fire and casualty companies, because their losses more closely approximate the year the premium income is received, show quite a different trend. A study of the financial statements of 348 stock fire companies, having combined assets of \$2,500,000,000, shows a premium income for the year of 1939 of approximately \$750,000,000.

The assets of this group of companies show 2.7 per cent to be invested in real estate, owned and used by the companies for business purposes, 1.4 per cent of their assets invested in mortgages, 37.8 per cent invested in bonds at an amortized valuation, and 41.5 per cent invested in stocks based on their present market value. Cash represents 11.2 per cent of their assets, whereas premiums outstanding or receivables and interest show 5.1 per cent of their assets, a very substantial part of which is converted into cash or investments within a short period of time. In this connection, it is interesting to note that more than 50 per cent of their investments in bonds are in Government bonds. Also, over 30 per cent of the investments in stocks are in common stocks. Finally, 3½ per cent of their gross premium income was paid out in taxes.

A study of the earning statements of 339 stock fire companies for the year of 1939 indicates a premium income of over \$767,000,000 with an underwriting profit of a little less than 5 per cent, but a gain through investment during that year of over 12½ per cent.

A study of the financial statements of 125 stock casualty companies, having combined assets of \$1,500,000,000, shows a premium income for the year of 1939 of approximately \$750,000,000. The

assets of this group indicate 3.2 per cent invested in real estate owned and used by the companies for business purposes, 1.4 per cent of their assets invested in mortgages, 50 per cent in bonds at an amortized valuation and 21.8 per cent in stocks based on their present market value. Cash represents 13.7 per cent of their assets, whereas premiums outstanding or receivable and interest account for 9.7 per cent. Almost 60 per cent of their investments in bonds are in Government bonds.

A study of the financial statements of 50 mutual fire insurance companies, having combined assets of approximately \$168,000,000, shows a premium income of approximately \$31,000,000. It is interesting to note that the mutual companies, due to their method of operation (as explained in a previous article) do not maintain such large assets. Consequently, they do not play as prominent a part in the finances of the country as the stock companies.

The assets of 50 of these companies shows 7.1 per cent to be invested in real estate owned and used by the companies for business

purposes, 3.8 per cent invested in mortgages, 56.3 per cent in bonds at an amortized valuation, and but 2 per cent invested in stocks based on present market value. Cash represents 14.1 per cent of their assets, whereas premiums outstanding or receivables and interest represent 6.1 per cent. Of their investments in bonds, a little less than 50 per cent are in Government bonds.

A study of the financial statements of 101 mutual casualty companies, with assets of \$362,000,000, shows a premium income for the year of 1939 of approximately \$125,000,000. The assets of this group indicate 3.4 per cent invested in real estate owned and used by the companies exclusively for business purposes, 3 per cent invested in mortgages, 59.3 per cent in bonds at an amortized valuation, and but 5.6 per cent invested in stocks based on the present market value. Cash represents 21.6 per cent, whereas premiums outstanding or receivables and interest are 7.1 per cent. A little more than 50 per cent of their investment in bonds is in Government bonds.

As was indicated in one of the previous articles, originally tax-

ation of this industry was intended by the States in which they were licensed or domiciled to carry the expense of their supervision, but now that the Federal and State taxes have steadily increased, this business represents a substantial proportion of the total yearly tax income received by the various States and the Federal Government. This directly affects the cost of insurance to the buyer and is in the nature of an indirect tax. With the substantial sums represented by the assets of these companies, with the taxation history as a guide, it is little wonder that the insurance fraternity looks with considerable concern upon the ultimate result of the investigation being conducted by the Temporary National Economics Committee. It is predicted that some enterprising legislator will conceive of the happy idea of passing a substantial part of the Government's debt, if not all of it, into the assets of insurance companies. Hence, it is of vital interest to every citizen that this industry be maintained, certainly with Federal and State supervision, but not as a branch of our Federal Government.

I.C.C. Analysis of Truck Accidents

An analysis of accidents involving motor trucks subject to the Motor Carrier Act for the calendar year 1939, released last month by the Interstate Commerce Commission, shows a total of 3,379 reported mishaps.

In 1939, the total number of persons killed in accidents reported by common and contract motor carriers subject to the general jurisdiction of the I.C.C. was 20.2 per cent greater than in 1938, and the total number of accidents reported was 25.6 per cent greater. These increases in 1939 were in sharp contrast with the situation reported in 1938, during which year the number of persons reported killed decreased 29.3 per cent and total accidents decreased 28.6 per cent from 1937.

Accurate statistics on total motor vehicle accidents of all kinds occurring in the United States are not available, it was pointed out.

It would appear, the report stated, that the trend in accidents of interstate motor carriers since 1937 has conformed generally to the trend in all highway accidents, although accentuated both as to the size of the increase of 1939 and that of the decrease of 1938. It is apparent, however, that no certain comparisons can yet be drawn be-

tween these 2 trends, or, in fact, between successive years of the interstate motor carrier accidents. The requirement for reporting accidents to the I.C.C. became effective only on April 1, 1937, and in each year since that time the number of carriers reporting accidents has increased, reflecting the continuing work of the Commission in obtaining compliance requirements.

Certain phases of the truck accident figures particularly, will require more detailed studies than present facilities have permitted in order to enable the drawing of definite conclusions as to reasons for the changes from year to year, the report explained.

Collisions involving motor trucks accounted for 2,749 accidents, or 81.4 per cent of the total, non-collisions for 14.1 per cent, and miscellaneous for 4.5 per cent. It is significant that the percentage of collision accidents reported has been steadily decreasing since 1937, while the non-collision accidents have increased. This increase, both as to numbers and percentage, is chiefly noted in connection with vehicles which ran off the highways. In the miscellaneous group, which also increased in 1939, fires more than doubled in importance

among the conditions encountered in accidents. In this group is also noted collapse of 4 bridges against one such instance last year.

A survey for the years 1937, 1938, and 1939 shows a continuing decline in the percentage of accidents involving collision between interstate motor trucks and other motor vehicles. In 1937 (9 mos.) such accidents constituted 70.4 per cent of all accidents, in 1938, 68.2, and in 1939, 65.9 per cent.

Truck pedestrian accidents increased from 5.6 per cent of the total in 1938 to 6.3 per cent in 1939. Such accidents in 1937 were 5.9 per cent of the total truck accidents reported for that year.

An increase from 3.1 per cent in 1938 to 4.2 per cent in 1939 is also to be noted in collisions between motor trucks and fixed objects.

The actual number of truck-railroad train collisions were 6 more in 1939 than in 1938, bringing this type of accident to 1.9 per cent of the 1939 total of truck accidents. It is of interest to note in this connection that there were no bus-train collisions reported during 1939.

The average accident frequency rate (accidents per 100,000 miles) for Class I motor-truck carriers is 2.0.

Personnel

Frank Henderson was reelected president of the Warehousemen's Assn. of the Port of New York at its annual meeting on Jan. 10 at the Downtown Athletic Club, New York City. All of the other officers were also reelected as follows: vice-president, W. C. Crosby, Jr.; secretary, H. E. Ward; and treasurer, H. A. Stetler. Directors reelected are as follows: E. W. Bruch; L. J. Coughlin; and A. P. Sullivan.

Clyde Davis has been assigned to the Construction Division of the Office of the Quartermaster General to act as an advisor on all matters of Army construction activities which pertain to storage, issue, preparation and service of foods. Mr. Davis is a representative of the National Restaurant Assn., and as such, is well acquainted with typical construction designs of refrigerator and storage facilities, as they apply to food handling.

J. B. Martin, assistant chief of the Ohio Securities Div., has warned holders of approximately \$6,000,000 in whiskey warehouse receipts against what he termed "a new scheme in the form of bottling contracts," presenting "serious question as to whether owners will receive any proceeds," Martin explained that unscrupulous agents had contracted with receipt holders to bottle and sell bulk holdings as a means of recouping on the alleged "greatly depreciated" investments. "Since, in most cases, no minimum bottled sale price is specified in the contracts, the agents are free to dispose of the whiskey at any price above taxes and bottling cost which will leave them a profit, regardless of whether the original owner receives any return," Mr. Martin asserted.—*Kline*.

C. E. Gorman, of the Norfolk and Western Railway, has succeeded A. H. Laney, of the Laney & Delcher Warehouse Co., Jacksonville, as president of the Jacksonville Traffic Club. T. C. Maurer, traffic manager of the Jacksonville Traffic Bureau, became vice-president, and L. G. Bayer of the B & O, secretary-treasurer.—*Lord*.

H. O. Erwin has become traffic manager of the American Snuff Co., Memphis, Tenn., filling the vacancy created by the retirement of J. A. Thomas.

Norman C. Settle has been elected vice-president of McCormick & Co., Inc., Baltimore, Md. He has been with that company since 1920, having come from New York where he had been connected with the B. & O. in the warehousing business. Prior to that, he was in the warehousing business in Cincinnati. In 1933, he became vice-president of the McCormick Warehouse Co., and in 1937 its president. In addition to his other duties, Mr. Settle is plant manager for McCormick & Co. and personnel director for plant operation.

H. F. Grady has succeeded the late Joseph Sheehan as executive head of the American President Lines, San Francisco, Cal.—*Gidlow*.

A. C. Street, traffic manager of the Safeway Stores, Inc., has been elected president of the Oakland (Cal.) Traffic Club.—*Gidlow*.

H. Inouye is the new Pacific Coast manager of Mitsubishi Shoji Kaisha, Ltd. He is a recent arrival from Japan to succeed S. Takeuchi.—*Gidlow*.

L. A. Strouse has retired as traffic manager of the California Fruit Growers Exchange and is succeeded by R. C. Neill, assistant traffic manager.—*Brouthers*.

Col. W. C. Bickford, general manager of the Port of Seattle, has become chairman of a national defense

committee of the Marine Terminal Assn. Other members of the committee are: S. Stocking, Shaffer Terminals, Tacoma; G. W. Osgood, manager of the Port of Tacoma; G. W. Albin, Ames Terminal, Seattle; and H. W. Hall, East Waterway Dock & Warehouse Co., Seattle.—*Littlejohn*.

F. E. Schneider has been placed in charge of purchasing and traffic at the Meridian, Miss., plant of the Flintkote Co. Alex M. Smith has been named assistant traffic manager of the company at Rutherford, N. J.

Alex Moir, vice-president, and Frank L. Hawley, secretary, of the Merchants Refrigerating Co., New York, have retired, effective Dec. 31. George A. Horne has also retired as vice-president and treasurer to become a consulting engineer.

Mr. Moir entered the cold storage business in 1898, starting then with the Harrison Street Cold Storage Co., New York, which concern had purchased the now defunct Polar Cold Storage Co., Newark, N. J. That company was reorganized and continued as the Newark Cold Storage Co., later merged with the Merchants Refrigerating Co. in 1913. At that time he became executive vice-president.

Mr. Hawley entered the employ of the Merchants company as an office boy in 1899. He assisted the late Frank A. Horne, former president of the Merchants, during the time the latter was administrator for N.R.A. He also served for 2 yrs. as treasurer of the Warehousemen's Assn. of the Port of New York.

Mr. Horne began his association with the company as chief engineer in 1910. He has been responsible for the installation of modern refrigerating systems in all the Merchants plants and was also responsible for the design, planning and supervision of erection in 1917 of the company's plant at 10th Ave. and 17th St., said to have been the largest cold storage warehouse in existence at that time. He was official delegate to the International Institute of Refrigeration held at the Hague in 1936.

Joseph Timmins has become manager of the new Beverly Hills, Cal., branch of the Bekins Van & Storage Co. He was formerly on the sales staff of the Beverly Hills Transfer & Storage Co.—*Herr*.

R. R. MacKenzie, port traffic manager, has been appointed by the Oxnard (Cal.) Harbor Commission to fill the 3 posts of port director, operating manager and traffic manager. A. M. McDougall, port director, and Capt. A. B. Jebbeus, operating manager, resigned recently.—*Herr*.

Olin Jacobs has resigned as secretary of the Illinois Assn. of Merchandise Warehousemen to enter the insurance business at Olean, N. Y. Donald E. Horton has succeeded Mr. Jacobs.

Mr. Horton was formerly with the Inland Steel Co. and the Wisconsin Steel Works of the International Harvester Co. At the annual meeting of the association, Dec. 12, H. W. Verrall, vice-president and treasurer of the Railway Terminal Warehouse Co., Chicago, was elected president of the group. W. H. Huggett, president of the North Pier Terminal Co., Chicago, was elected vice-president. E. H. Hagel, operating executive of the Western Warehousing Co., Chicago, was elected treasurer.—*Slawson*.

H. W. Leiser has resigned as traffic manager of Barker Brothers Corp., Los Angeles, Cal., having been ordered to active duty as a lieutenant in the U. S. Naval Reserve.

Harry Jones, formerly traffic manager for the United Packers, Chicago, has been appointed chief transport-

tation officer for the War Dept.'s armament project at Weldon Springs, Mo.

M. H. Champion has resigned as traffic manager of the Anderson-Pritchard Oil Corp. and the Col-Tex Refining Co. He will continue as president of the Rail Shippers Assn. and will continue to represent the Anderson-Pritchard and Col-Tex companies in rate cases before the I.C.C.

J. E. Ott has been appointed manager in charge of warehousing, production, shipping, maintenance and engineering at the Archer plant of the Acme Steel Co., Chicago.

Martin H. Kennelly, president of Werner Bros.-Kennelly Co., Chicago, has been appointed a member of a Chicago Assn. of Commerce committee which will work with a city council group engaged in revision of Chicago's out-dated zoning ordinance.—*Slawson*.

J. H. Glover has been appointed general manager of the Chicago department of the Railway Express Agency, succeeding A. C. White, who has been transferred to Cleveland, as general manager of the Eastern Lakes department. J. G. Shannon, formerly assistant to the vice-president, Chicago, is the new general manager of the Mid-Central department, a position formerly held by Mr. Glover.—*Slawson*.

W. H. Ott, Jr., general traffic manager of Kraft Cheese Co., Chicago, was re-elected general chairman of the Industrial Traffic Council of Chicago at its recent annual meeting. M. S. Allison, assistant secretary and traffic manager of the Federal American Cement Tile Co., Chicago, was re-elected general vice-chairman.—*Slawson*.

K. W. Mawhoar, recently traffic manager of the Mayflower Mills, Fort Wayne, Ind., has become assistant to the president of the Soya Processing Co., Wooster, Ohio. Leonard Ebbing, formerly with Swift & Co.'s branch at Fort Wayne, has succeeded Mawhoar at Mayflower Mills.—*Kline*.

G. J. Meyer, formerly vice-president and sales manager of Truscon Steel Co., Youngstown, Ohio, has become president of the Renner Brewing Co., the same city. He succeeds E. J. Renner, now chairman of the board.—*Kline*.

Willis Day, president of Willis Day Storage Co., Toledo, Ohio, and active in civic work and parent-teacher activities, has been elected a director of the Morris Plan Bank, Toledo.—*Kline*.

A. R. Haley has become sales manager of the cement division of the Pittsburgh Plate Glass Co., succeeding the late L. C. Letzkus. Mr. Haley's headquarters are in Zanesville, Ohio, recently removed from Pittsburgh.—*Kline*.

A. H. Ferbert, Cleveland, has become president of the Pittsburgh Steamship Co., a U. S. Steel Corp. subsidiary, which operates an ore-carrying fleet on the Great Lakes. Mr. Ferbert succeeds A. F. Harvey, retired.—*Kline*.

Thomas Hollingsworth has become traffic manager of S. L. Allen & Co., Philadelphia, replacing Walter Grieves, deceased.

Miss Marian C. Trumbull, assistant secretary for the past 12 yrs. of the Federal Storage Co., Washington, D. C., became the bride on Nov. 23 of the Hon. Loring C. Christie, Canadian Minister to the United States. The Federal company does a large part of all the work for

the British, French and other important Embassies in Washington and Miss Trumbull had specialized in handling a number of these diplomatic accounts. She is a descendant of Jonathan Trumbull, of Connecticut, but her family has lived in Washington for many years.

George M. Stayart, formerly general traffic manager for the United Wall paper Factories, Inc., Chicago, has been appointed traffic manager for the U. S. Army Ordnance plant under construction in Burlington, Iowa.

C. R. Horrell, vice-president and manager of the Long Beach, Cal., branch of the Lyon Van & Storage Co., has been elected president of the Long Beach Chamber of Commerce. He was chosen on the first ballot. Henry M. Burgeson, general sales manager of the company, was recently appointed president of the Board of Public Utilities and Transportation for the City of Los Angeles.

C. D. Dooley, director of traffic, Palmolive Peet Co., Jersey City, N. J., has retired and will have a permanent residence in Aurora, Ind., but will be in Tucson, Ariz., for the next few months. R. E. Crowley has succeeded Mr. Dooley and Maxwell Glen has succeeded R. E. Keith as assistant director at New York. Mr. Keith has been appointed traffic manager at Jeffersonville, Ind.

John Henry of the Winthrop Storage Warehouse, Winthrop, was recently elected president of the Massachusetts Furniture Warehousemen's Assn. Other officers elected were as follows: first vice-president, K. C. Streng, Metropolitan Storage Warehouse, Boston; second vice-president, Cryus Wood, Worcester Storage Warehouse, Worcester; treasurer, S. H. Whidden, Boston Storage Warehouse, Boston; and secretary, E. L. Frost, Arlington Storage Warehouse, Arlington.

William S. Briry, superintendent of warehouses in the Customs Dept., Boston, since 1928, has retired and is succeeded by Thomas J. Lawler, senior storekeeper at the Custom House. Both were guests at the November meeting of the Massachusetts Warehousemen's Assn.—*Wellington*.

W. W. Callan, president of the Central Freight Lines and Central Forwarding Co., Waco, Texas, has been elected president of the Common Carrier Motor Freight Assn., succeeding Ed. Sproles, who has held this office for several years. Mr. Sproles, who is president of the Sproles Motor Freight Lines and Sproles Transfer & Storage Co., Dallas, was honored by the association by presentation of a combination radio and record player, in token of its appreciation of his past services.

Omar O. Victor has been appointed traffic manager of the United States Smelting, Refining and Mining Co., Salt Lake City, Utah.

The Michigan Furniture Warehousemen's Assn., at its annual meeting in Detroit, Dec. 12, elected Harmon W. Tanner, Detroit, president. His father, L. H. Tanner, who was the second president of the group in 1923, was the guest of honor at the dinner meeting, having started his warehouse 50 yrs. ago. He was presented with a token of affection from the association and a testimonial from the Detroit members. A. A. Leonard, president of the Mayflower Warehousemen's Assn., brought greetings and congratulations from that association.

The other officers elected were as follows: Vice-president, A. H. Stevens; secretary, L. R. Blodgett; treasurer, G. R. Walt. V. Van Haaron was elected vice-president of the merchandise storage division; W. J. Croul, vice-president of the household goods storage

division; and J. D. Edgett, vice-president of the household goods moving division. Directors elected are as follows: J. H. Borgman, W. T. Ivory, E. F. Raseman, Jr., and H. G. Beebe.

Members were glad to hear that Mr. Ivory, who has been in a Detroit hospital for a much needed rest, is well again, but were shocked to learn that Mrs. Ivory, their son Jack, and son-in-law A. J. Stefani were in a hospital in Valparaiso, Ind., following an automobile accident. Each one is improving as rapidly as possible.

Charles R. Saul has been elected to become honorary president of the New York Furniture Warehousemen's Assn. Emory R. Roraback has been elected president of the group for 1941; William T. Bostwick, vice-president; Charles S. Morris, treasurer; and William R. Wood, secretary. Directors for 3 yrs. are as follows: Frank Kindermann, James O'Neill, Harold T. Dwyer, Edward Cassidy (to replace Charles D. Morgan), and George M. Winkler, Jr.

Robert M. Colbert, traffic manager, The Carter's Ink Co., was elected president of The Traffic Club of New England at the annual meeting of the organization, held at the Copley-Plaza, Boston, Dec. 12. Vice-presidents elected were William F. Clarke, traffic manager, B. F. Sturtevant Co.; E. H. Smith, transportation manager, Swift & Co. (New England interests); J. W. Smith, vice-president and general manager, Boston & Maine-Maine Central Railroads; R. J. Sullivan, general agent, New York, Ontario & Western Railroad.

Directors for 2 yrs.: E. S. Condon, regional traffic manager, Sears Roebuck & Co.; A. H. Erlandson, traffic manager, Goodall-Sanford Industries; M. J. Hawkins, traffic manager, Bird & Son, Inc.; J. E. McGrath, assistant to general traffic manager, N. Y. N. H. & H. R. R. Co.; C. F. Ray, assistant general freight agent, American-Hawaiian Steamship Co.; R. Van Ummersen, freight traffic manager, New York Central System; L. F. Whidden, general agent, Railway Express Agency, Inc.; Secretary-treasury, P. L. Stuart, Sprague Steamship Agency, Inc.

Irving T. Sorge, the retiring president, was toastmaster, with an attendance of 420.

The guest speaker was K. N. Merritt, general sales manager, Railway Express Agency, Inc., whose subject was "Transportation and the Nation."—Wellington.

William Bartlett Megahan

WILLIAM BARTLETT MEGAHAN, 93, founder of the warehouse and moving business in Wilkinsburg, Pa., died on December 26. This founder of Megahan Bros., and father of H. D. Megahan, treasurer of the Philadelphia Company, died in Columbia Hospital. Born March 24, 1847, in Berlin, Somerset Co., Pa., he lived 51 years in Wilkinsburg. After 35 years operating his business, he retired in 1923.

He leaves 3 daughters and 3 sons, one of the latter being Justice of the Peace in Wilkinsburg.—Leffingwell.

A. Preston Jump, Sr.

A. PRESTON JUMP, SR. of Suffern, N. Y., a director of the Isthmian Steamship Lines, of 25 Broadway, died Jan. 2. He was 57 years old.

Mr. Jump had been associated for 32 years with the U. S. Steel Corp., of which the steamship line is a subsidiary, and with the line itself for 20 years. He was a founder and former president of the Newark (N. J.) Traffic Club, a charter member of the Newark Athletic Club, and one of the organizers of the Newark Rotary Club.

Surviving are his wife, Mrs. Mabel Jump; 2 sons, Ronald and A. Preston Jump, Jr., and a daughter, Miss Elva Jump, all of Suffern, N. Y.

Algernon T. Gibson

ALGERNON TUTTLE GIBSON, president of the Lawrence Warehouse Co., San Francisco, died Dec. 14 of a heart ailment, after an illness of 3 mos. Mr. Gibson was 49 yrs. old and was born in Bangor, Me. He was a graduate of the Massachusetts Institute of Technology, and during the war, served as an ensign in the Navy.

Mr. Gibson entered the warehousing field in 1916, when he came to California to join the Lawrence Warehouse Co. in an official capacity. He was made president of the company in 1920.

Mr. Gibson was always an enthusiastic association man and had been active on many committees, outstanding of which was his work in the latter days of the struggle by the warehousing industry for a Uniform Warehouse Receipt Act, when he served on the American Warehousemen's Assn. committee that was working to bring about this legislation in the remaining States. He was a member of the A.W.A. committee on banking relations during recent years and was active in the California Warehousemen's Assn., serving as its president in 1930.

Survivors are his wife, 2 children, a brother, and his mother, all of San Francisco.—Gidlow.

Hoyt O. Perry, executive vice-president of the Lawrence Warehouse Co., has become president, replacing Mr. Gibson.

W. E. Hibbitt

WILLIAM E. HIBBITT, 51, president of the Lawrence Warehouse & Distributing Co., Sacramento, Cal., died Dec. 8 in Stanford Lane Hospital, San Francisco, where he had been confined for about 2 weeks. His death followed an operation.

Mr. Hibbitt has operated the Lawrence company since 1922. He was born in Stockton and lived in Sacramento since 1916. He was a member of the Sacramento Rotary Club, Del Paso Country Club, Sacramento Lodge No 40, Free and Accepted Masons, Scottish Rite bodies, and Ben Ali Temple of the Shrine.

Survivors are his wife, 2 children and 4 sisters.

James F. Duffy

JAMES F. DUFFY, owner of Duffy Storage & Moving Co., Denver, died Dec. 29. Mr. Duffy pioneered in the warehousing business in Denver 30 yrs. ago, when he was associated with his deceased uncle, James D. Duffy, whom he succeeded in the management of the company.

Mr. Duffy was a firm believer in close cooperation among warehousemen in his city and State. For 3 terms he served as president of the Colorado Transfer and Warehousemen's Assn. During the N.R.A. code era, the merchandise warehousemen in Region No. 8, consisting of Colorado, Wyoming, and Utah, elected him their representative on the Merchandise Warehousing Trade Code Authority for each of 2 yrs. the trade code was in effect.

Survivors are his wife and son, James.

Glen Arbogast, retiring president of the Los Angeles Board of Harbor Commissioners, was the guest of honor at the final 1940 meeting of the board held in the Los Angeles Chamber of Commerce. Mr. Arbogast is retiring after 7 yrs. of service on the Harbor Commission.

Ernest T. Falk was elected president of the Transportation Club of Seattle at the annual elections.

FROM The Capital

I.C.C. Rejects "Alarmists' Attitude"

The Interstate Commerce Commission again has placed emphasis on the fact that it has no emergency powers to "nationalize" transportation by motor carriers, or by water carriers, such as it has with respect to rail carriers.

Submitting its 54th annual report to Congress, the Commission rejects the "alarmists' attitude" but points out that "the matter has been brought to the attention of the Advisory Commission to the Council of National Defense, and no doubt it will, if it has reason to believe that such additional emergency powers may be needed in carrying out the defense program, so advise the President and Congress."

Discussing the broad field of transportation, the Commission pointed out that "the extraordinary measures which the Government is now taking to prepare for national defense have brought to the forefront the question whether the transportation facilities of the country will be able to do their part adequately and effectively.

"That the burden upon them will be very heavy is certain, and the difficulties in sustaining it will be enhanced, as they were at the time of the World War, by the fact that the currents of traffic will be shifted from their normal course and that the danger of congestion will arise in unusual and unexpected places and at times, it may be, without warning."

The Commission made note of the appointment by President Roosevelt of Ralph Budd, president of the Chicago, Burlington & Quincy Railroad Co., as an advisor on transportation problems. Since his appointment, Mr. Budd has enlisted the help of consultants representing commercial trucking, barge lines, lake carriers, short line railroads, interurban transit, airlines, and warehouses.

"In so doing," said the Commission, "we believe that he has been very wise, for these consultants represent, in general, transportation facilities which have been tremendously developed since the time of the World War and are well equipped to share with the railroads a burden which then fell almost solely on the latter."

There has been considerable debate as to whether the railroads are taking adequate steps to ex-

pand their supply of cars and locomotives to meet the needs which may be expected in a national emergency, but the Commission found in their favor; that rail carriers are now able, because of improved methods and conditions of operation, to do materially more work per unit of equipment than was the case when they had a greater supply, and the further fact that the capacity of other forms of transportation has been greatly increased.

In a previous report to Congress it was pointed out that the Commission has powers with respect to the movement of traffic which it did not possess in 1917, and enumerated those powers. The following paragraph, which followed this enumeration, "bears repeating," Congress was told:

"The Commission is thoroughly organized to administer promptly these provisions of the Act, and has done so in times of national emergency, such as the strikes of certain classes of railroad employees in 1920 and 1922, Mississippi Valley floods, etc. No formal action by the President is necessary as a predicate to the exercise of these powers, and it is only necessary for the Commission to know of the existence of an emergency within the Act, and to be satisfied that its service directions will be reasonable and will aid in meeting the emergency situation. The Commission may act in such cases with or without hearing. It is important to note that these emergency powers are not limited to cases of 'war or threatened war,' but are based on a broad concept of transportation emergency. However, it is also important to note that the Commission has no emergency powers as to transportation by motor carriers such as it has as to car service (so termed) by rail carriers."

Manning.

Federal Storage Suit Won by Crooks

Storage space occupied by the Federal Government, pursuant to contracts let during the life of the National Industrial Recovery Act code for the Merchandise Warehousing Trade, have been held by the United States Court of Claims to be subject to the following code provision:

"All goods are stored on a month-to-month basis, unless otherwise provided. A storage month shall extend from a day in one calendar month to, but not including, the same day of the next and all succeeding calendar months."

The Court's holding requires the Federal Surplus Commodities Corp. to reimburse Crooks Terminal Warehouses, Inc., Chicago, in the amount of \$688.55. The principal issue arose upon the F.S.C.C. at-

tempt to construe the storage contract to require payment only for the actual number of days the space was used, and Crooks' counter proposition that payment for a full month is required when the space has been occupied for any part of a calendar month.

A secondary issue was disposed of on demurrer. Counsel for the Government sought to evade responsibility for payment on the theory that the Federal Surplus Relief Corp. (predecessor of F.S.C.C.) is not an agency of the United States, therefore could not bind the Government.

Since this contention is likely to be advanced as a defense pleading in similar suits which may arise in other courts, the decision of the Court of Claims on the point is worthy of note. It reads:

"The defendant in the first instance demurred to the petition of the plaintiff on the ground that the Federal Surplus Commodities Corp. had no authority to bind the Government by contract and that the United States, therefore, could not be sued upon any contracts which the corporation made. This demurrer was overruled, it appearing to the court quite clearly that the corporation was set up as an agency of the United States pursuant to executive direction in accordance with congressional enactment; its funds deposited in the Treasury of the United States and provided by appropriations made by Congress specified for transfer to the corporation and so transferred and used. The corporation was created solely to perform governmental objectives and it so acted, its disbursements and accounts being subject to settlement and adjustment by the General Accounting Office.

"Finally, its charter provided in an amendment thereto that it was empowered to 'perform any and all functions, and exercise any and all powers as to a governmental agency and/or instrumentality or otherwise, by virtue of, pursuant to, or in connection with any future Acts of Congress of the United States of America.'

"There are other matters which tend to show that the corporation was a governmental agency but what we have set out above is sufficient."

Crooks' warehouse was a successful bidder for storage of canned meat, processed from cattle slain during the 1935 draught and set aside for distribution to State agencies handling relief needs. The invitation for bids was sent out April 17, 1935, and the contract was entered into Aug. 7, 1935. The schedule provided for a "storage charge per month (per case)" of one cent for 45- and 46-lb. cases. This sentence also appeared: "Storage charges will be based upon weight and number of cases actually stored."

The National Industrial Recov-

ery Act was in force when advertisement for bids was issued and also at the date when the proposals were opened. It had been invalidated prior to the date of the contract, Aug. 7, 1935. However, the invitation contained copy of the Executive Order requiring bidders to comply with appropriate codes of fair competition, and Crooks had included with its proposal a copy of the Merchandise Warehousing Code.

The last case of canned meat was removed from Crooks' warehouse March 1, 1936. The company's bill for the last month of storage was, with respect to each lot, a demand for a full month's payment regardless of whether the entire lot was in the warehouse for the full month. In one instance the charge was for 30 days although there was actually only 17 days of storage; in another, a bill for 30 days with 2 days of actual storage.

The General Accounting Office rejected the charges insofar as they covered days of non-storage, citing the provision that "storage charges will be based upon weight and number of cases actually stored."

The code provision and the fact that the storer had the privilege of using the space for the full storage month during the last month the goods remained warehoused, were cited to no avail.

Considered Ambiguous

After reviewing the law and the facts, the Court of Claims commented that the words "per month," standing alone, were ambiguous and would not support the position taken either by the warehouse or the Government. The justices continued:

"In determining the intent and understanding of the parties we think it is proper to consider the fact that by Executive Order, dated March 14, 1934, bidders were required to comply with approved codes of fair competition to which such bidders were subject and that plaintiff, in submitting its bid, accompanied it with a copy of the 'Code of Fair Competition for the Merchandising Warehousing Trade,' as approved by the National Industrial Recovery Act, Jan. 27, 1934, and understood it was required as part of the bid.

"Evidently, plaintiff understood and intended that payment for storage for the last month of the storage was on the basis of a full month's storage charge and it is difficult to see how the officials of the corporation could have understood otherwise in construing the bid.

"... after consideration of all the evidence with reference to custom and usage, and the intent of the parties, we have found that the contract between them was in effect as claimed by plaintiff."

Crooks Terminal Warehouses, Inc., was represented in prosecution of the case before the Court of Claims by A. Lane Cricher.—Butler.

Cal. Decides for Below Cost Operation

Shall a carrier be permitted to reduce rates below profits to meet competition?

The I.C.C. and the California Railroad Commission differ on the question. The I.C.C. in effect, says "Yes!" The C.R.C. says "No!"

The I.C.C. made its ruling in a decision handed down last Fall in the Arizona gasoline transportation case (see *DandW*, October, 1940, page 49). That decision denied truck lines the right to cut their rates to meet rail competition on gasoline transportation and also refused to heed truckers' pleas that railroads be enjoined from constructing rates for gasoline hauls too low to be met by truck lines.

The California Railroad Commission took an opposite view in its recent decision involving liquor hauls from San Francisco to Southern California by authorizing rail lines to slash their rates from 35 cents to 28 cents to enable the rails to participate in this business.

The decision is expected to result in diverting a substantial volume of liquor hauls from trucks to railroads. Truck lines have had virtually a monopoly on this business because the truck rate is 37 cents and they enjoyed an advantage in obtaining the business because of faster deliveries and a split-delivery service not possible to railroads.

The railroads presented testimony at the C.R.C. hearing, showing that substantial liquor hauls will be made available to them by Hiram Walker & Sons, Inc., and Schenley Distilleries, Inc., if the rail rates were reduced to 28 cents.

The truckers voiced opposition through E. M. Berol of the Truck Owners Assn. of California. Mr. Berol called attention of the C.R.C. to the fact that truck lines are authorized to meet rail rates and could nullify the effect of the decision by exercising that right. The railroads entered rebuttal testimony to this contention, through data submitted by a railroad cost engineer, disclosing that truck operators enjoyed a differential in loading or unloading of 4 cents per 100 lbs. over rail operators, which would have to be taken into consideration before the trucking interests could reduce their rates to meet rail rates as applied for in the petition.

In approving the railroads' request for reduced rates, the C.R.C. stated:

"If the railroads are to survive, they must apply the same sound business principles to their venture as any

prudent businessman would to his. Necessarily, if they are to obtain overall 'cost of doing business,' they must have thousands of prices or rates, extending over a wide range, determined by the character of the traffic to be moved. Many of these rates do and should contribute substantial amounts over the average cost of moving the traffic. But often during the stress of competition and because of their inability to obtain the traffic, respondents in desperation have resorted to price cutting to regain or hold the traffic on these commodities which should bear more than the full cost of performing the service."

Declaring that there are many elements which may be considered in determining a reasonable rate the decision pointed out that the value of costs in rate making is demonstrable only when it is used as a base point to guide management or regulatory agencies in arriving at a reasonable level to be charged for the product transported.

"From time immemorial," the decision stated, "many commodities, in order to move freely or at all, have been hauled at less than full cost. Often the passenger traffic has failed to stand its full share of the cost of doing business. But even with their deficiencies, this traffic contributes something in excess of the out-of-pocket costs. And likewise, from time immemorial, other commodities when they were able, have contributed more than the full costs of moving traffic indeed in some cases contributing many times the full costs."—Herr.

A.T.A. Embarks on 4 New Defense Activities

Four new defense activities will be undertaken by American Trucking Associations, Inc., it has been announced.

Keeping in step with the increasing tempo of defense preparations, the executive committee of the association:

1. Authorized ATA to prepare, after consultation with the Federal Bureau of Investigation and other Federal departments, a standard identification form for truck drivers and other employees entering manufacturing plants, refineries and other industrial premises producing defense goods.

2. Appointed a nationwide committee, with a member in each State, to raise funds to purchase "rolling kitchens" for Great Britain.

3. Approved a plan to estimate the industry's equipment needs in 1941, in anticipation of Government demands that trucks give preference to transportation of defense materials.

4. Decided to make further representations to the State Department in an effort to arrive at a reciprocal arrangement with Canada whereby domestic motor carriers would be permitted to transport goods, in bond, from one point in the U. S. to another point in the U. S., through Canada, and to interior points in Canada.—Manning.

WATERWAYS AND TERMINALS

Buy Ground for Big Jersey City Terminal

One of the largest, if not the largest, rail and ship terminals, with warehouses and industrial plants, is planned for Jersey City, N. J.

The site is the old abandoned refinery of the Standard Oil Co. of New Jersey in the Caven Point section. The property was purchased by J. E. Walscheid, County Counsel, and D. M. Findlay, of New York, president of Charles F. Noyes Co., Inc., one of the largest real estate operators in the country. The Noyes company has no financial interest in the transaction.

The sale, one of the largest in years, at least insofar as the acreage involved is concerned, arouses interest because the property is an area recently advanced as being desirable for one of the large airports contemplated in the national defense program.

The property, consisting of 40 acres of land with riparian rights along a frontage of nearly 1,300 ft., which can be filled in, will be developed into a rail and keel terminal to accommodate the largest steamers and greatest amount of tonnage by rail in the country.

The property, assessed at \$25,000 an acre, exclusive of the riparian grants, which brings the total assessment to around \$2,996,000, is just West of the Statue of Liberty. Irregular in size, it runs back 840 ft. to Caven Point road, with extensive frontages on both sides of the road. The westerly section of the tract adjoins the Lehigh Valley R. R. freight yards. The Black Tom harbor and rail terminal, equipped with docks and large warehouses is to the East.

The land has been graded and filled, approximately two-thirds of it being hard, high ground where no pile foundations would be required for new construction. An abundant supply of electric energy for power and light is available from the Public Service Elec. Co. of New Jersey.

"It is a wonderful industrial area," Mr. Walscheid said. "How we develop it will depend upon future leases. We will construct to meet the requirements of industrialists. It is the best located property in the United States, we believe. It is located within 20 minutes of Times Square by automobile and lends itself to immediate development along industrial lines."

"Best informed opinion holds that 1941 will record new highs in American productive capacity, a prediction which forecasts an especial interest in new plant construction at strategically-placed locations."

Brown, Wheelock, Harris, Stevens, Inc., has been appointed sales agent for the property.

Wilmington, N. C., City Terminals

The City of Wilmington has filed with the Reconstruction Finance Corp. an application for a loan of \$635,000 with which to erect municipal port terminals and a tobacco storage warehouse.

The terminals will be erected on that portion of the old shipyard property owned by the city. They would begin at the Northern side of the Southern slip on the property and would extend across the Northern slip to the Bate Lumber Co. property line.

The tobacco warehouse would be erected on property in the vicinity of 4th and Greenfield streets.

The terminals would have 140,000 sq.ft. of space inside and 52,000 on the aprons and would be of modern, fireproof construction. If built, they will be available for lease by any concern wanting to lease terminal warehouse space.

The application names J. T. Heirs, executive general

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agent of the Wilmington Port Commission, the engineering firm of Shourds and Bean, C. D. Hogue, and J. R. Benson as persons authorized to give the RFC any additional data that agency may require. The application was worked up by Heirs under the direction of the Wilmington Port Commission and has been approved by Wm. B. Campbell, city attorney.

The brief lists as freight anticipated for handling through the terminals its first year of operation, the following items:

textiles, 6,863 tons; manufactured tobacco, 1,500 tons; plywood veneer, 600 tons; peanut meal, 2,000 tons; blankets, 1,500 tons; knit goods, 375 tons; cast iron pipe, 1,500 tons; hosiery, 75 tons; cedar lumber, 216 tons; furniture, 500 tons and tobacco, in hogshead, 2,000 tons, all bound for the Pacific Coast; 30,000 tons of tobacco in hogshead, 5,000 tons of cotton, 2,000 tons of lumber and 2000 tons of naval stores, for export; 10,000 tons of paper, 3,000 tons of tapioca flour, 3,000 tons of cotton and 11,000 tons of wood pulp for importation; and 1,000 tons of canned goods, 1,000 tons of petroleum products (cased goods) and 2,500 tons of miscellaneous merchandise in coastwise commerce.

Eight Months' Store of Rubber Held For U. S. Needs

A supply of crude rubber adequate for about 8 mos. was held in the United States or was en route to this country from halfway around the world at the end of November, 1940. And while authorities in the industry readily concede that a stock pile of this size—434,998 long tons—is far from adequate in such uncertain times, they point out that reserves of this essential defense commodity have shown a 60 per cent increase since last May and that additional supplies will be shipped in as rapidly as possible.

Furthermore, should an emergency arise whereby Far Eastern rubber supplies would be entirely shut off, it is estimated that present stocks could be stretched over 12 to 18 mos.

Last year, Government agencies accumulated a 2-mo. supply of crude rubber, approximately half as much as the Government planned to bring in during 1940. But through the cooperative efforts of rubber manufacturers and Federal officials, private stocks were increased to an extent greater than had been anticipated, and as a result, total reserve stocks are nearly double what they were a year ago.

In 1939, the Government took the first steps to obtain a stock pile through an agreement with Great Britain to exchange 600,000 bales of American cotton for 85,000 tons of crude rubber. Later on, Rubber Reserve Co., an agency of the Reconstruction Finance Corp. made agreements with the International Rubber Regulating Committee to purchase 330,000 tons of crude rubber. Some 300,000 tons of these reserve defense stocks remain to be purchased and shipped here from the Far East.

Defense officials believe that most of this crude—which represents a 6-mo. additional supply—can be brought in this year as planned in the original agreements with the I.R.R.C. Meanwhile, it is understood that Government agencies are willing to purchase an additional 100,000 tons further to fortify reserve stocks.

There is no domestic production of crude rubber and the Malayan countries are our principal source of supply. A small quantity is obtained in Mexico and Brazil, but Latin America cannot be counted upon for more than 10 per cent of our requirements.

But in case of turmoil in the Far East, there are supplementary sources of rubber materials that can be tapped. One of these is reclaimed rubber, made from worn-out rubber products. Last year the rubber industry used about 30 per cent as much reclaimed material as crude rubber, and trade circles assert that the reclaimed rubber output could be doubled in an emergency.

Synthetic rubber also represents an important potential source of supply. Although synthetic output in 1939 amounted to less than 2,000 tons, it has been expanded 2 or 3 times in the last year and should total around 20,000 tons annually next Fall.

Since last July a large Government-aided program has been in formation to provide a stand-by synthetic rubber industry in case of emergency. Several large rubber companies have figured in the negotiations and the project has been shunted back and forth between the defense commission and the R.F.C.

Meanwhile, the B. F. Goodrich Co. has sold several thousand tires made of synthetic rubber and E. I. du Pont de Nemours, Goodyear Tire & Rubber Co. and

Standard Oil Co. (New Jersey), among others, have expanded their individual programs for synthetic rubber production. As it probably would take from a year to 18 mos. to get a large synthetic plant constructed, and in smooth operation, a Government-sponsored expansion plan would not be of immediate aid.

Although final figures are not yet available, rubber consumption in the United States probably established a new high record in 1940. Present indications are that volume may be of record proportions again this year, unless the motor industry is forced to curtail production due to the defense program. Even in that event, consumption in 1941 still should be substantial, for rubber is an essential material for many defense products as well as a large number of consumer goods. In fact, the tires of some large army tractors take 1,000 lbs. of rubber, as against 15 lbs. for the tires of some medium-weight pleasure cars.

I.C.C. Defers Date to File Ship Rates

The I.C.C. has issued an order deferring the filing of schedules of minimum rates or charges of contract carriers by water until March 1st, and extending until June 1, the time within which application for certificates of public convenience and necessity to common carriers may be made.

The Commission's order postpones provisions of the new transportation bill's Part III relating to the regulation of water carriers in interstate and foreign commerce, and will have the effect of giving the I.C.C. further opportunity to acquaint itself with the various problems confronting water transportation.

While it is believed by many that the I.C.C. has much to learn in connection with the important business of regulating water commerce, it is at the same time felt that the acquisition of some 50 per cent of the Maritime Commission tariff section will do much to aid the new division in its work.

I.C.C. Hears Argument on Barge Grain Rates

The I.C.C. heard arguments recently against a proposal by railroads to increase the freight rate to the East on grain and grain products brought to Chicago by barge on the Illinois waterway.

Among those opposing the increase were the Mississippi Valley Assn., the Illinois Agricultural Assn. and the Federal Barge Line.

The railroads contend that the present rates work to the disadvantage of producers outside the Illinois waterway area.

At present, the rate from Chicago to New York on grain shipped into Chicago by either rail or water is 26 cents per cwt. The railroads proposed to increase the rate on grain barged to Chicago by 8 cents.

The Great Lakes steamer Saginaw late in December unloaded at Cleveland a cargo of 75,000 bu. of Michigan potatoes, believed to be the largest single potato shipment in the State's history. The cargo was taken on at Houghton, Mich. on the steamer's last trip of the season.

New Orleans Plans 500-Ft. Wharf

Construction of a new 500-ft. wharf at Florida Avenue turning basin, in the Industrial Canal, will be effected by the New Orleans Board of Port Commissioners, according to E. A. Stephens, vice-president. The new unit will be ready for use by April 1.

The construction of the new wharf is made necessary by the acquisition by the U. S. Quartermaster Depot of the Poland Street wharf, which is on the riverfront at the depot and which is being acquired by the U. S. Army. Use of the Poland Street wharf for Army pur-

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IN THE *Cold Storage* FIELD

Safety a Moot Question in Refrigerated Storage and Trucking

PROBLEMS which will concern the personal efficiency and safety of workers in the refrigeration industry, and its allied industries of warehousing and distribution during the promised "boom period just ahead," were discussed at the recent annual sessions of the Refrigeration Section of the National Safety Council, held in Chicago.

"There is strong indication of a boom period just ahead for the refrigeration industry," said chairman A. A. Brall during his introductory talk. "This will be brought about, in my opinion, because of several new factors which are entering. There is steady increase in the air-conditioning of homes, offices, public buildings and factories. The icing of air-conditioned transcontinental and other stream-lined trains and also motor buses has become a big industry. The refrigeration of the new frozen-food industry has been tossed into our laps. Our national defense program most probably will grow into more control of food, and there is bound to be a big increase in refrigeration during the storage, transport, and distribution of this food.

Boom Period Ahead

"One of the serious problems of the industry, in the face of the probable boom period ahead," he continued, "is getting new personnel properly trained for efficiency and safety. The accident experience of the refrigeration industry is already high. The accident frequency rate for 1939, according to National Safety Council figures, was 28.41, which is an increase of 13 per cent over the previous year. This compares with an average rate of 11.83 for all industry, and our rates are exceeded only by those in construction, lumbering and mining. The 1939 accident severity rate for the refrigeration industry was a little more favorable—1.75, as compared with 1.42 for all industry, this representing a drop of 27 per cent as compared with 1938."

"It is important to note," Mr. Brall continued, "what these high accident rates imply in our personnel problem. Tabulations of recent records of compensated injuries in the ice manufacturing industry show that 30 per cent of them were from *handling objects*, and 16.5 per cent from *using hand tools*. That is, nearly one-half of them from hazards in which the human factor was very important."

This latter point was supplemented by discussions which brought out that a large percentage of new workers available for employment during rush or expanding periods are almost wholly untrained in the use of tools and in work efficiency. Many of them have been without steady work for years, or never have worked steadily in industry; maybe only a little previous W.P.A. or C.C.C. employment. And it is the tendency for a rushed foreman, when such a person is employed, to assume he knows how to work and put a tool in his hands and tell him to get busy. One example was mentioned of a young man given a box-in wrench and sent to do a close fitting job. When he got through "his hands looked like they had been put through a sausage mill." There were other examples of men using the wrong wrench on a refrigerating line and tearing off gaskets, injuries with sharp-pointed ice tools, etc.

D. E. Woods of the Texas Employers' Insurance Assn., Dallas, Texas, read a paper on "Hazards in Car Icing and Their Elimination" which had been prepared by R. C. Ledbetter, manager of the safety engineering department. In car icing, he emphasized, there often is need of fast work, maybe under unfavorable weather conditions, at any time of day or night. And many times heavy blocks of ice must be thrown up into old-time cars with bunkers so constructed and located that the worker must assume accident risks, including the mid-air catching of ice blocks. Too many employers, he said, do not give their new employes physical examinations; or, if given, do not properly follow them up.

"An average physical examination," said he, "costs \$2, and an average hernia case \$350—Q.E.D. No superficial physical examination will reveal the possibility of latent heart failure, high blood pressure or eye weakness that may breed serious accidents. Strain and hernia injury often are preventible by proper training of employes in how to lift. Slipping is stopped by proper shoes, and also safety shoes protect against falling objects. Rubberized fabric gloves are valuable to protect the hands from ice injuries, especially in the quick handling of cartons of fast-frozen foods at very low temperatures which often have very sharp corner edges. Another sensible protection is rubber boots large enough for several extra pairs of socks, one of which is wool."

Most accidents in ice handling, the discussion brought out, are due either to lack of training of new workers or to simple carelessness by old workers. The advised remedy is to hold the foreman or supervisor jointly responsible for accidents to his men. When a man has an accident, the management wants to know if he was properly instructed. Put each new man first with an older, experienced man, instructed to teach him how to efficiently handle his tools and do his work safely. Careless haste may cause accidents even with the best of safety equipment. Tongs slide into an ice hopper and the man injures his hand in grabbing them out. Get the new men into safety meetings as soon as possible. Divide the men into small groups and let some experienced person demonstrate to each group, taken to the actual scene of their work, the best efficiency and safety methods.

Quick-Freezing Hazards

E. G. Quesnel, director of safety, The Borden Co., New York City, spoke on safety in "Dairy and Ice Cream Plants." His remarks and the follow-up discussion brought prominently into the picture some of the hazards in the new quick-frozen food industry. He described a fatal accident to the driver of a delivery truck with body insulated and held to a very low inside temperature by the use of refrigeration plates. The truck had been left standing for a short delivery stop, the engine still running. The man entered through the rear door to the inside of the truck body, and then the wind or his own act caused the door to slam shut. After the lapse of about 2 hrs., somebody noticed the engine

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THE PARADE OF

New Products

BROWNE Vintners Co., including its 2 subsidiaries, Wilson Distilling Co. and Hunter Baltimore Rye Distillery, have been purchased by the Seagram Distillers Corp. Operations of the new Seagram affiliates will be continued by present personnel. Famous brand names involved in the deal include White Horse Scotch, Wilson—That's All whisky, Hunter Baltimore rye, Cointreau, Remy Martin cognac and Piper-Heidsieck champagne. The Hunter firm was sold to Browne Vintners last year by McKesson & Robbins for \$2,000,000, after Hunter stockholders had failed in their effort to block the sale on grounds that a higher price had been offered by Schenley Distillers Corp.

Famous Virginia Foods, Lynchburg, Va., has appointed an advertising agency and will use magazines and newspapers.

Nu-Gloss Mfg. Co., New York, has selected an advertising agency to advertise its after-shampoo rinse which will be sold through retail outlets.

Gravo Co., Michigan City, Ind., maker of food products, has introduced Gra-Vo gravy in cartons. The product is a prepared gravy mix.

Celotex Corp., building materials concern, has leased from Newark Tidewater Terminal, Inc., at Port Newark, 45,000 sq. ft. of space in Warehouse No. 3, effective Jan. 1, with an option to lease an additional 23,000 ft. before March. The firm will use the property as an Eastern distribution point, and is transferring some of its activities from Metuchen, N. J., to Newark.

Rental of the space is connected with recent announcement of Isthmian Steamship Co. that beginning Jan. 1 it would berth a ship a week at Port Newark. Its schedule previously was 2 ships a month. Isthmian freighters carry, among other things, wallboard from Hawaii. Celotex will import wallboard in the line's ships, it was announced. It will mean an increase of 1,000 tons a week of shipping at Port Newark, according to Raymond J. Dempsey, port supervisor.—Jones.

Lever Brothers Co. will introduce a new soap product called Swan, believed to be a hard-milled type which will sell for 5 cents. Like Procter & Gamble's Ivory soap, Swan is white and floats.

Philip Morris & Co. will revise its cigaret package in accordance with a Federal Trade Commission order. The designation "London W" will be dropped; the coat of arms will be altered; the term "English blend" will be eliminated; and the word "Incorporated" will be printed in type as large as "Ltd." in the main brand heading.

Kraft Cheese Co. has leased the 7th floor of the Century Bldg., Indianapolis, to set up sales production offices to take over the Indiana and Michigan territory formerly handled from Chicago. H. E. Johnson is in charge of the office and E. F. Miller is sales manager.

Mathieson Alkali Works has opened its own warehouse at Jacksonville, Fla. John Hawkins is in charge. The warehouse will serve Florida and Georgia markets.—Lord.

American Houses, Inc., prefabricated houses, with plants in Kearney, N. J., and Petersburg, Va., has opened a new plant in Jacksonville, Fla. Orrin Boynton, Southeastern manager, has charge.—Lord.

Schenley Import Corp. has bought the Cresta Blanca Wine Co., Livermore, Cal. The Cresta plant will be enlarged.

Pennsylvania Rubber Co.'s Jacksonville, Fla., warehouse, located for many years in the Union Terminal Warehouse Bldg., has been moved to Atlanta, Ga.—Lord.

Valuable Data for Industry

American industry, as late as last Summer, was using only 80 per cent of plant capacity; administration and overhead expenses average twice as much as selling cost; and selling head expenses are 4 times as expensive as the advertising done by most firms—all according to a survey just released by the National Industrial Advertisers Assn., Inc.

This study, which is prepared annually to assist advertising managers and other executives in preparing budgets, is based on reports from 345 industrial concerns of all sizes and types. The survey is the 10th of its kind to be issued by the association, which has chapters in 20 industrial centers of this country and Canada.

The new budget survey answers many questions which come before the management of industry at this time of the year. The data presented fills 20 pages. There are tables showing the per cent of the sales dollar spent for materials, labor, manufacturing costs, and other items, (including profits); the percentage spent for selling and for advertising, broken down by product classifications and also by the size of the company; figures on the number of companies selling direct and through distributors; comparisons between budgets for 1939 and 1940; administrative information; how educational material is charged; and detailed break-downs of advertising budgets, showing the amounts spent in different media, such as magazines, radio, direct mail, exhibits, catalogs, etc.

To aid in long-range planning, averages of the amounts spent for advertising, for selling, and the per cent of plant capacity sold, are shown for a 5-yr. period. An index makes it easy to find the figures bearing on any one problem.

The report has been distributed to members from the headquarters of the National Industrial Advertisers Assn. at 100 East Ohio St., Chicago. Individual copies of the survey are available to non-members at \$2, but a discount is allowed for quantity lots.

Salmon Warehouse Stocks

Canned salmon stocks on hand at the end of 1940 are much less than in 1939. Total unsold stock reported on hand with the close of November, 1940, according to the Association of Pacific Fisheries, was 1,071,731 cases, as compared with 2,256,037 in November, 1939. These stocks are held by 84 companies, whose pack is 99 per cent of the total. Over 252,000 cases of salmon of all varieties were moved out of the packers' warehouses into wholesale and retail outlets.—Litteljohn.

Factories ON THE MOVE

HE W. S. Dickey Clay Mfg. Co., will erect a new \$400,000 plant on a North Kansas City site near the Kansas City municipal water plant.—S. Smith.

North American Aviation, Inc., will operate a huge bomber assembly plant on a tract of land adjacent to the Fairfax Airport, Kansas City, Kas. This plant, a 10-million-dollar unit, will become one in a series of midwestern airplane plants under the national defense program. Ground-breaking ceremonies were expected to be held about Feb. 1.—S. Smith.

The Remington Arms Co. will operate an ammunition plant at Lake City, Mo., a short distance northeast of Kansas City. The plant now is under construction as a national defense unit.—S. Smith.

Hagan Corporation, Pittsburgh, with warehousing facilities in the Crane Bldg., plans to build this spring on an 80-acre tract of land, near Pittsburgh, a 3-story, \$855,000 building to produce water-conditioning compounds and materials for national defense. During the first year the company will spend \$100,000 on the project which will advance in 3 stages. The plant building itself will cost \$605,000, an office building \$250,000, and company officials contemplate erecting a laboratory building. Workmen wishing to own homes near the plant may buy lots, and the company will build a 9-hole golf course and other recreational facilities.—Leffingwell.

American Phenolic Corp., 1250 West Van Buren St., Chicago, manufacturer of plastic electric plugs and connectors, has purchased the Chicago Rivet & Machine Co. plant at 1830 S. 54th St., Chicago, for a reported price of \$102,500. The company is expected to move into its new plant, comprising about 70,000 sq. ft., about July 1. The concern, which employs 200 workers, has received some national defense contracts direct, but sales also have been aided by the demand from electrical goods makers also busy on war orders.

Morse-Rogers Steel Co., 1515 Fairfield Ave., Cleveland, steel specialties, tubular steel furniture, etc., has acquired former property of Boatwright Furniture Co., Danville, Va., and will remodel for branch metal furniture plant. Present furniture division at 12401 Euclid Ave., Cleveland, will be removed to new location and capacity increased.

George E. Kunhardt textile mills, Lawrence, Mass., idle for 10 yrs., are to be used for a bonded wool storehouse and a carding and combing plant by a new corporation headed by R. N. Dobbin and Edna Stratton, of Brookline. The sale was made with the stipulation that not less than \$400,000 would be spent before Jan. 1, 1942, for reconditioning the property. It is stated that 500 will be employed when the plant is ready.—Wellington.

Macfadden Publications, New York, has completed plans for the consolidation of all departments of the company under one roof, a lease having been signed for 5 floors of the Bartholomew Bldg., 205 E. 42nd St., New York. Extensive alterations are being made in the building to accommodate the organization. Full possession of the new quarters will not be effected until early in 1942. For the past few years, the company

has had only its executive and business offices in the Bartholomew Bldg., the other departments being in 2 other buildings in the Grand Central zone.

Walter H. Johnson Candy Co., Chicago, will erect a candy factory at 3200 No. Kilbourn Ave. The new building will occupy 70,000 sq. ft. on the ground and be of 200 by 350 ft. construction.

Shell Union Oil Co. will build a new-process solvent extraction plant at a cost of \$550,000 in Wood River, Ill. The plant will be the first of its kind in the Middle West and will also be the first to produce high solvency naphthas and odorless cleaning solvents.

Columbia Steel Co. will move its wire rope and fence plant from San Francisco to Pittsburg, Cal., officials of the U. S. Steel Corp subsidiary announce. The site vacated will be used for a steel warehouse. The Pittsburg plant is a new one of 197,000 sq. ft. on Columbia Steel property.

Harshaw Chemical Corp., Cleveland, plans a one-story plant in Elyria, Ohio. The new structure will be 60 by 150 ft. and will cost about \$50,000.

Silvray Lighting, Inc., Long Island City, N. Y., incandescent lamps, etc., has purchased former textile mill of Middlebrook Mills, Inc., Bound Brook, N. J., totaling about 82,000 sq. ft. of floorspace, and will remodel for plant.

Johns-Manville Corp., New York, will remodel property at Zelienople, Pa., acquired a few months ago, for large production of insulating brick.

Sier-Bath Co., New York, gears, sprocket wheels, etc., will build a one and 2-story plant, 100 by 180 ft. on Hudson Blvd., North Bergen, N. J. Cost close to \$85,000 with equipment.

Gordon Baking Co., Detroit, has acquired property, 100 by 200 ft. on Belgrove Drive, Kearny, N. J., for new factory branch, storage and distributing plant. Cost over \$60,000 with equipment.

Reynolds Metals Co., Richmond, Va., plans new works near Macon, Ga., where tract has been acquired for production of shell fuzes for Government. Cost close to \$1,000,000 with equipment. About 10 one-story buildings, with shops, powerhouse and auxiliary structures will be built in addition to some 20 powder magazines.

George A. Hormel Co., Birmingham, Ala., canned and packed food products, will build one-story processing and packing plant, 95 by 120 ft. Cost over \$70,000 with equipment. Main offices are at Austin, Minn.

Tennessee Valley Authority, Knoxville, Tenn., plans new phosphate rock mining plant near Godwin, Tenn., for production of raw material for use in Manufacture of commercial fertilizer at plant in Muscle Shoals, Ala. Cost about \$1,000,000 with equipment. Department of Chemical Engineering will be in charge.

Handy Button Machine Co., Chicago, plans new one—
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Motor TRANSPORTATION

Weight Basis for Split P & D Charges by Cal. Operators

SPLIT pickup and delivery charges for all common and highway carriers defined in the State Public Utilities Act and the Statutes of 1935 are established on a weight basis in California Railroad Commission's Decision No. 33738, which was made effective Jan. 6, 1941.

The decision establishes revised maximum and minimum rates for common highway and radial-common carriers and amends Highway Carriers' Tariff No. 2, in the main, in accordance with recommendations submitted in a report on split pickup and split delivery shipments as prepared for the Commission by Examiner H. G. Freas.

The ruling authorizes common carriers to publish and maintain in their tariffs appropriate routing provisions, including the origin or destination point of a

"... component part of a composite shipment on a single authorized route of the common carrier, when said point is located on a single authorized route of any other common carrier or carriers serving that point."

The decision provides for the following charges and regulations for split pickup and split delivery, under Highway Carriers' Tariff No. 2:

"The charge for transportation of a split pickup shipment shall be the pickup and delivery charge applicable under rates in Sec. No. 2 and Sec. No. 3 (of Highway Carriers' Tariff 2), or any combination of said rates, for transportation of a single shipment of like kind and quantity of property from point of origin of any component part to point of destination via the points of origin of all other component parts, plus the following additional charges:

Weight of Component Parts (In Lbs.)		Additional Charges for Each Pickup (Cents)
Over	But Not Over	
0	100	25
100	500	35
500	1,000	50
1,000	2,000	75
2,000	4,000	100
4,000	10,000	125
10,000	20,000	150
20,000	200

The ruling allows certain deductions to be made under specified conditions, which, however, are not applicable

"... if split delivery service is to be accorded, unless at the time of or prior to the first pickup a single bill of lading or other shipping document shall have been issued with manifest or written pickup instructions showing the name of each consignor, the points of origin and the kind and quantity of property in each component part."

The amendments in the ruling pertaining to split deliveries read substantially the same as for split pickups, except that the regulation for permissible distances in this instance is defined as follows:

"... from point of origin to point of destination of any component part via the points of destination of all other parts; or one-half the distance from point of origin to that same point via each of the points of destination to which deliveries are made."

The additional charges permitted for split delivery shipments above the rates applicable under Sec. 2 and Sec. 3 of the Highway Carriers' Tariff No. 2 is the same as for split deliveries. The provisions pertaining to single bills of lading and manifest also apply to split delivery shipments.

Point-to-Point Rates

The ruling also provides that point-to-point rates in the tariff may be used in combination with other rates in the tariff, in the following manner:

"Add to the point-to-point rate applicable to transportation of a single shipment of like kind and quantity of property from point of origin to any other point in the rate applicable for like transportation for one-half the distance from the latter point to that same point via each of the points to which deliveries are made which are not located on the route via which the point-to-point rate used from point-of-origin is applicable. To the charge obtainable by the use of the resulting rate add the additional charges set forth above."

Various other parts of Highway Carriers' Tariff No. 2 have been amended to show more clearly that rates apply from and to points of origin or points of destination within the described territories via routes authorized in Section No. 4, and that the entire territory is not to be considered as a single origin or destination point for the purpose of making split pickups or split deliveries.

The new minimum charges are defined as follows in the event the constructive distance from point of origin to point of destination does not exceed 150 miles:

Weight of Shipment	Minimum Charge (Cents)
25 lbs. or less	40
Over 25 lbs. but not over 50 lbs.	50
Over 50 lbs. but not over 75 lbs.	60
Over 75 lbs. but not over 100 lbs.	70
Over 100 lbs.	75

An exception provides that in no event shall the minimum charge

on shipments having point of origin or point of destination on steamship wharves or docks within the Los Angeles Harbor pick-up and delivery zone, be less than \$1.00; and that for shipments transported beyond public highways to or from oil or gas well sites the minimum charge shall also be \$1.00, if the distance from point of origin to point of destination exceeds 150 miles. Another exception provides that if a shipment contains different articles, and no article is rated higher than first class, for 100 lbs. at the class or commodity rate applicable to the article asking highest rate; or if any of the articles is rated higher than first class, for 100 lbs., the minimum charge shall also be \$1.00.

Examiner Freas' report, on which the decision is largely based, represents a broad revision and amendment of C.R.C. Decision No. 31,606 which since August, 1936, has regulated the conditions of split pickup and split delivery service shipments. That ruling provided that the "shortest constructive highway route via the points of origin of the several component parts" of a split delivery shipment had to be used.

The Freas report grew out of numerous complaints by common, short line and other types of carriers that they were at a disadvantage in operating under the provisions of the 1936 ruling and its subsequent amendments.

The report was prepared after many complaints had been registered with the C.R.C.: Common carriers complained that they were at a disadvantage in competing with radial highway common carriers whose operations were not limited to specified routes; and short line carriers stated their traffic was being lost to carriers serving more extensive territories. Formal petitions also were filed by the Truck Owners Assn. of California, alleging that the rules were encouraging to shippers to accumulate tonnage, as a result of which carriers' revenues were being reduced without a corresponding reduction in the cost of performing the service. Rail carriers alleged that they

could not, practically, publish rules which would place them on a competitive basis with highway carriers.

The Freas report was prepared after 5 public hearings were held by the C.R.C. at which more than 50 witnesses testified and introduced exhibits.

Cost findings in the Freas report, which form the basis for the new rates in the decision, were evolved from studies showing the estimated added cost of performing split delivery service as prepared by an engineer for the Commission. Separate costs were not developed for transportation of split pickup shipments because the differences between split pickup and split delivery were not considered of sufficient magnitude to warrant a separate study.

Time Studies

The estimated costs developed by the C.R.C. engineer were based principally upon 11 time studies conducted by the C.R.C. engineering department which were designed to disclose performance experience in the loading and unloading of trucks. In the aggregate, the studies reported the handling of over 61,000,000 lbs. of freight entailing 8,000 hrs. The studies found costs to vary with the weight of the composite shipments as well as with the weight of each component part. They were found to vary also with the manner of handling used; that is, with whether the component parts were handled over terminal platforms or were transported through in-line-haul equipment. The study was designed to develop the added costs for composite shipments of 4,000 lbs. or more. Calculations of the added costs were made for the 2 general methods of handling freight—"over-the-platform" and "direct hauling." Items of cost considered in connection with over-the-platform estimates were delivery, terminal handling, terminal overhead, billing and collecting, general overhead, and gross revenue expense.

The procedure followed in the calculation of the added cost of split delivery service where "direct hauling" was employed was much the same, except that the factors entering into the cost were found to be not quite the same, with unloading taking the place of delivery and no terminal handling or terminal overhead expense being entailed. An amount, however, was added to compensate for additional truck miles incurred in performing split delivery service. The separately developed added costs for split delivery by the 2 methods was blended by the application of percentages representing the esti-

mated ratios of freight moved by the respective methods employed.

The weighted average added costs of performing split delivery service developed in the engineer's study was as follows:

Weight Group Component Part Lbs.	Weighted Average Added Cost for Composite Shipments, 4,000 Lbs. and Over Per 100 Lbs.	Per Stop
1-100	\$5.239	\$2.619
101-500	.0981	.2943
501-2,000	.0548	.3850
2,001-4,000	.0409	1.2270
4,001-10,000	.0281	1.9670
10,001-20,000	.0193	2.8950
20,001-30,000	.0149	3.7250
Over 30,000	0	0

"The evidence of the record," stated the Freas report in its summary, "indicates there is a substantial difference in cost between having an aggregate lot of property tendered to a carrier at one place and time as a single shipment, and having the same quantity of property tendered at different times as a number of separate shipments. This holds true in connection with split pickups as well."

Objections to various parts of the Freas report were presented at hearings before the C.R.C.

Los Angeles Chamber of Commerce objected to the establishment of split pickup and split delivery charges on a weight basis, contending that so many variable factors were involved that only rarely would they represent the cost of handling. The Chamber claimed the charges recommended by Examiner Freas would increase cost to shippers substantially in certain instances.

The C.R.C. disagreed, concluding that a weight basis of charges most equitably reflects the cost of split pickup and delivery service.

Further Objections

The Draymen's Assn. of San Francisco contended the proposed charges were unreasonably low and that sufficient consideration had not been given the proposals of the C.R.C. rate witnesses to eliminate split pickup service and to restrict minimum weights under which split delivery service could be performed. The association also contended that Freas had been unduly influenced by the threat of proprietary trucking in the preparation of his report.

The Commission disagreed with the draymen's group, stating that the record justified establishment of uniform pickup and split delivery charges for all distances.

The San Francisco Chamber of Commerce's argument that the recommended charges were excessive was not conceded by the C.R.C.

Pacific Electric Railway of Los Angeles, and Southern Pacific, Santa Fe and Western Pacific Railroad companies filed objection to the parts of the Freas recommendation in which rates had been named between points of origin and points of destination, instead of between territories as previously,

and to rates being restricted to apply only via shortest constructive highway routes when other routes are not specifically authorized, the railroads requested that the existing territorial application of rates and routes be continued in service. They contended that by the terms of existing regulations, rates are published between points in the different territories and that split pickup and split delivery service is provided in competition with truck transport without fear of routing complications. Ability to compete with truck carriers, they asserted, would be destroyed if point-to-point rates were substituted and routing restrictions provided.

Rails Upheld

The railroads cited the Los Angeles area as an example and pointed to the fact that some 30 communities, many of which, although served by railroad, are not on authorized railroad routes. The rail lines claimed an almost unlimited number of combinations of these points would be located on authorized highway routes because of the many highway gateways entering the territory.

The C.R.C. upheld the rail lines in this instance, eliminated Examiner Freas' recommendations for restrictions on routing, and ordered that the existing territorial applications of rates and routing be retained for the present.

Various other objections to the Freas recommendations, filed by F. W. Woolworth Co., Sacramento Chamber of Commerce, Colgate, Palmolive, Peet Co., McLain Truck Co. and Redwood Manufacturers Assn., were disallowed by the C.R.C. The decision was handed down Dec. 17 last, and made effective Jan. 6, 1941.—Herr.

Use of Transshipment Rates Upheld

In a decision handed down Dec. 21 and effective Feb. 1, 1941, the California Railroad Commission set a far-reaching precedent by upholding the right of highway carriers to make use of transshipment rates, heretofore applicable only to rail lines.

While the decision (No. 44758) applies specifically to certain hauls between Los Angeles and Orange Counties and the Central coastal and San Joaquin Valley areas of California, it is regarded as a precedent that may be invoked in other instances.

Stating that the decision in the case rested on whether or not the use by motor carriers of rail transshipment rates, as distinguished

from rail rates not restricted to transshipment traffic, is proper, the C.R.C. defined the issue in the following phraseology:

"The right of motor carriers to meet lawful rates and charges for all for-hire carriers of the same transportation service is now well established in this State, and the further right of the several classes of highway carrier to compete for traffic originating at or destined to points not directly served by carriers naming a lower rate is also recognized."

The decision set at rest prevailing doubt as to the legality of highway carriers to make use of truck-load rates of substantially the same scale as rail transportation rates. Stating that highway carriers would be at a disadvantage if restricted to the use of the higher rates prescribed for them for this type of service in Highway Carrier Tariff No. 2, the current ruling recognizes the highway carrier's rights to transshipment rates and orders the rail lines to readjust their transshipment rates on or before Feb. 1 to a level no lower than that which results from the following base:

"When shipments are brought to or taken from the terminal of the railroad carrier by highway vehicle, the rail rates for the transportation between rail terminals shall be determined by first ascertaining the through rates established as minimum for the transportation of the same shipment by a highway carrier from the initial point of origin to the ultimate destination, and deducting from such rate not more than the minimum rate established for transportation of the same shipment by highway carrier for the distance from or to the rail terminal, including transfer between highway carrier vehicle and rail car."

The truck rates applicable for pick-up and delivery service in the absence of rail competition were established as minimum by the C.R.C. after extensive hearings and were designed to reflect the average full cost of performing the service by highway carriers under efficient management and operation. No objection to the overhead truck rates was offered at the various hearings that preceded the rendering of Decision No. 33711, which established the still existing overhead truck rates.

The hearing from which the latest decision (No. 44758) stemmed was an outgrowth of a suspension by the C.R.C. on its own motion of reduced rates submitted by the Southwest Motor Tariff Bureau for hauling oil, gas and water well supplies between Los Angeles City, Los Angeles Harbor and Torrance, and points in the San Joaquin Valley, for which the C.R.C. had authorized minimum rates and regulations in a decision handed down on Feb. 5, 1937.

These rates were point-to-point commodity rates and were applicable to all classes of for-hire carriers, but only for store-door services, carload rates not being affected by that decision. Shortly

thereafter, the C.R.C. ordered adjustments in carload rail rates, under which order the rails published between-railroads-transshipment carload rates that varied according to the distance and location beyond rail facility of the initial point of origin or the ultimate destination.—Herr.

Mass. Governor Derides Complex Truck Laws

In his address to the Massachusetts Legislature convening Jan. 2, Governor Saltonstall said:

"I recommend your immediate consideration of the law regulating motor truck carriers of property for hire over the public ways of this State. The law is now so complex in many of its requirements that it has never, in my opinion, been capable of efficient application. Hence, effective administration is impeded. If a regulatory law is to be helpful to those engaged in the business, it must be clear and capable of administration. Otherwise, it does more harm than good."—Wellington.

Position Wanted

Young man with knowledge of tariffs, classification and I.C.C. procedure and practice, desires position as traffic assistant with opportunity for advancement. Salary demands moderate. Can offer excellent recommendation. Will locate at any place.

Address Box S-657, care DandW,
100 East 42nd St., New York

Super Highway Speeds Clark-Callahan Service

On Sept. 30, 1940, the Public Utilities Commission of Pennsylvania granted to Clark-Callahan, Inc., the authority to operate a common carrier service between the Pittsburgh and Philadelphia areas, thus enabling the serving of these 2 points by direct certificated motor carrier service for the first time in the history of that State.

Actual operation of tractor-trailer equipment began on Oct. 14. A

number of units operate daily both East and West, principally over Pennsylvania's new Super Highway, which cuts the elapsed time immeasurably. The schedule for the trip between the 2 cities, under normal operation conditions, calls for 10 hrs. driving time, with an additional one-hour layover, or a total elapsed time of 11 hrs. from the Pittsburgh terminal to the Philadelphia terminal, or vice versa.

It is about 4 yrs. since the plans of G. F. Callahan, Sr., Pittsburgh, and J. P. Clark, Philadelphia, were formulated, which now makes Clark-Callahan, Inc., a reality. At that time, Mr. Callahan, president of Exhibitors' Service Co., Pittsburgh, and Mr. Clark, president of Horlacher Delivery Service, Philadelphia, decided to apply jointly to the Public Utilities Commission for the operating rights between those 2 cities. The Exhibitors' Service Co. was to handle the supervision, physical distribution and pick-up work, etc., in the Western end of the State with its already established organization, while Horlacher Delivery was to do likewise at the Eastern end.

Through this setup, the new company has at its command 96 vehicles in the Pittsburgh area and 150 in the other. Complete service facilities, modern terminals and other advantages are thus made possible.

Some of the units are equipped with refrigerated compartments.

3 Memphis Truckers Merged

The Harrington-House Motor Co., Memphis, Tenn., represents the recent consolidation of the House Motor Express, Harrington Truck Line, and the Merchants Transport. Territory served consists of the Delta section of the Mississippi, with terminals at Greenwood, Winona, and Clarksdale; and a large part of East Mississippi, with terminals at New Albany, Tupelo, Ripley, and Holley Springs. W. G. Stovall is the owner and manager of the business.—Grissam.



The Clark-Callahan service between Pittsburgh and Philadelphia is via the Super Highway, resulting in considerable time-saving

Texas Carriers May Disregard R.R.C. Rates

Texas carriers may contract with the Federal Government for the transportation of intrastate freight for the military without regard to the rates and fares approved by the Railroad Commission, whether the contract is made pursuant to advertisement for bids or not, the Attorney General's Department has ruled.

The opinion, written by Glenn R. Lewis, assistant to Attorney General Gerald Mann, was prepared in answer to questions put by C. R. McNamee, director of the rate division of the Railroad Commission of Texas.

Mr. McNamee requested the opinion of the legal department as to whether Texas carriers could disregard legally the rates and fares set by the Commission when contracting with the Federal Government. An earlier opinion, given April 13, 1938, by Assistant Attorney General Albert G. Walker, had held that carriers legally could disregard these Commission-fixed rates and fares where the contract is made pursuant to advertisement for bids.

The recent actions of the United States Congress, whereby Federal agencies were freed from the necessity of requiring bids from transportation agencies, but could contract with them at published rates raised the question as to whether the carriers could lawfully contract with the Federal Government or its agencies at lower rates than those published or authorized by the Commission.

Since Mr. McNamee's inquiry chiefly concerned movement of freight for the United States Army, the opinion was confined to the transportation of goods for the military. It stated: "This is not meant to imply that the rule is otherwise as to other arms or departments of the Federal Government, merely that it may not be.

"We think it is immaterial whether the contract is made after advertisement for bids or otherwise. The Congress has enjoined upon the officers of the Federal Government the duty to make such contracts, by statutes plainly evidencing an intent for such officers to obtain the most economical transportation as possible. The charges to be made for the service is a major factor in such contracts for carrier service. To allow the State to fix the rates and charges for the transportation service involved in these contracts would be to permit it to make the contract

in large part. Such would constitute a direct interference with the Federal Government in its discharge of constitutional functions."

Troop Movement Succeeds With Private Trucks

Commercial motor carriers have completed the first highway movement of troops as a combat unit in the history of the United States, and have established their position as a military adjunct with all-around satisfaction.

Preparations for the transfer of troops and their baggage and fighting equipment were made by the Quartermaster Corps in cooperation with American Trucking Associations, Inc., and the Public Roads Administration.

The troop movement was conducted in Arkansas, early in January, with the 153rd Infantry, Arkansas National Guard, being transported via highway from 15 points in the State to Camp Joseph T. Robinson, located just outside Little Rock. The movement involved approximately 1,900 officers and men, personal baggage, and quantities of organizational equipment and weapons.

Making up the 15 convoys were 56 trucks, 21 buses and many auxiliary vehicles. The longest haul was from Blytheville, 221 miles distant from camp. The shortest was 6 miles, from Little Rock.

The movement was presented as a tactical problem to determine the part motor transportation of combat units by commercial carriers might play in national defense. Detailed studies of the results are now being made by the War Department.—Butler.

\$7,500 to Drivers for Safe Driving

Payment of \$7,500 as a 1940 safety bonus to 176 truck drivers employed by the Geo. F. Alger Co. and its affiliate, the Kirk Transportation Co., Detroit, has been announced. Under a permanent plan, drivers are credited with \$4 for each month of 100 per cent safe operation. Accidents for which the drivers are not to blame cost them \$4 per month each. Accidents for which they are at fault cost \$12 for the first and \$16 for the 2nd. Drivers entering the employment of these companies any time after the first of the year participate in the bonus to the extent of their earnings on the basis outlined.

Utah to Consider Trade Barriers

The Utah State Legislature, which convened in January, will consider legislation looking to the removal of trade barriers between States. In 1940 the subject was gone into by representatives of industries affected by such barriers who conferred with State government officials. Public hearings were held on the subject. Among the groups particularly interested were the manufacturers of butter substitutes and truckers.—Bennett.

Position Wanted

Warehouse executive, 36 yrs. old, with 11 yrs. experience in merchandise and cold storage warehousing. Has worked up through the ranks and experience covers management, operating, and solicitation. Wide acquaintance among national distributors. Presently employed, but desirous of changing location. Connection with good company where there is opportunity for advancement based on ability and results, more important than starting salary.

Address Box A-425, care DandW,
100 East 42nd St., New York

Position Wanted

Seeks a connection in the steamship terminal and warehousing business. Has 3 yrs. experience as an officer in the merchant marine, with a master's license for ocean steamers. Has had 9½ yrs. experience in the Navy, regular and reserve forces, the last 4 yrs. in active duty with the rank of Lieut. Commander, U.S.N.R.F., as executive officer and commanding officer of Naval auxiliary vessels. Also 2 yrs. of administrative work on shore; organized inspections, and courts and board offices in the 5th Naval District.

Resigned from active duty in 1921 to enter commercial occupation, and from there on, served 11½ yrs. as superintendent of terminals and warehouses, 1½ yrs. with the U. S. Shipping Board-Emergency Fleet Corp., and 10 yrs. with Atlantic Tidewater Terminals, Inc. This service terminated with the expiration of the property lease. Thereafter, assisted in the organization of 2 terminal warehouses and promoted 2 others.

Address Box R-546, care DandW,
100 East 42nd St., New York

A.T.A. Selects N. Y. for 1941 Meeting

The American Trucking Associations, Inc., has selected New York City as the place for its 1941 convention, which will be held next Fall. This is the first time that this organization has met in the East, the convention heretofore having been held in Chicago and points West.

Van Operators Claim Discrimination

A group of 2,000 trucking companies on Jan. 10 urged action by the National Defense Advisory Commission to relieve them of alleged discriminatory practices of the War Department in its dealings with transportation agencies.

The complaint, filed by the Household Goods Carriers Bureau, national representative of the companies, flatly charged discrimination against van operators engaged in transportation of household belongings and personal effects of War Department personnel.

These carriers, the Bureau said in a letter to Ralph Budd, transportation representative on the Defense Commission, are required to submit competitive bids to obtain movements of household goods, while the railroads and motor carriers of general freight are given War Department freight at their regular published tariff rates.

The bid procedure, the Bureau declared, results in wasteful and unnecessary cost, unwarranted delays, uncertainty as to the responsibility of the carriers selected, and destructive competitive practices which threaten to prevent maintenance of the sound transportation system that is vital to national defense.

The Bureau explained that before they were placed under the jurisdiction of the I.C.C., motor carriers were of doubtful common carrier status and the bid system was necessary, but enactment of the Federal Motor Carrier Act in 1935 rendered the bid system "obsolete." This fact was recognized by Congress when it included in the Transportation Act of 1940 a provision that existing regulations governing service for the Government should no longer be construed to require advertising for bids from regulated common carrier truck lines.

In view of this action, the War Department since has lifted the bid requirement on shipments of general freight, but has refused to grant similar relief to household goods carriers, the Bureau pointed out, adding: "Under such circumstances, discrimination against

household goods transportation can not be successfully denied."

James F. Rowan, secretary of the Bureau, said he was appealing to the Defense Commission because he had failed in numerous attempts to get War Department officials to take remedial action. If the Commission fails to clear up the situation, he added, "we are going to carry the problem back to Congress."

K. C. Border City Exemption Sought

Kansas City trucking and warehousing interests are working for inclusion in a proposed amendment to the Missouri bus and truck law of a section designed to provide border city exemption. Such a section would wipe out a trade barrier threat now contained in the law, they contend.

The amendment, covering reciprocity, is being prepared for submission to the State legislature under the auspices of the Associated Industries of Missouri. The section suggested by local interests is as follows:

"This article shall not apply to any motor vehicle or motor vehicles used in transportation of passengers or property for hire entering any municipal corporation directly from another State where such municipal corporation is adjacent to the State line or adjacent to a river that is the boundary line between Missouri and another State; provided such motor vehicle or motor vehicles confine their operations in this State to such municipal corporation or such municipal corporations and the suburban territory adjacent thereto."

Kansas City interests believed the amendment as prepared by the St. Louis committee was an excellent reciprocity measure but that it did not include a sufficient border city exemption clause. Kansas City businessmen, engaged in many forms of business, as well as trucking and warehouse operators, hold such a section is vital to the city.

When the Missouri Public Service Commission sought to cause enforcement of licensing provisions last Fall, injunctive relief was sought, relative to both the State line barrier and metropolitan area provisions of the State law, to hold off enforcement pending the move in the current session of the legislature.

Though the law had been on the books nearly a decade, these provisions had not been enforced.

The Missouri Supreme Court in the meantime ruled on 2 test cases started by St. Louis truckers. One dealt directly with the municipal limits problem, the court ruling truck operators in the large cities, whose business was within the municipal limits and suburban territory, were not subject to the regulatory and taxation provisions of the law.

Truck or bus lines having major operations outside the State, but which use Missouri roads or streets for commercial purposes, come under the jurisdiction of the Commission, the court ruled. In the 2nd opinion, the court held the Commission can make its own regulations for determining the capacity of trucks.

Truckers want to see the border city exemption clause become a part of the State law to further insure traffic across the State line in a metropolitan area such as Greater Kansas City.

A committee has been named to determine the commercial zone for the Kansas City area under the I.C.C. Such a determination would permit the crossing of the State line without I.C.C. regulation, if the point of origin and destination of the movement both were within the zone.—S. Smith.

\$100,000 Damages Sought As Result of Strike

A \$100,000 suit has been filed for damages alleged to have been suffered by the U. S. Trucking Corp. when 300 drivers of the Local No. 807 of the International Brotherhood of Teamsters struck. The U. S. Trucking Corp. also seeks court action to compel the union to arbitrate the dispute which led to the strike.

Filed in the N. Y. State Supreme Court, the suits charge Thomas Clarke, union delegate, called the strike after refusing to submit the dispute to arbitration, although arbitration was made compulsory under a labor contract between the company and the union, effective Sept. 1, 1940.

The court action grew out of the union's refusal to permit a driver to have his eyes examined, after he had had 5 accidents in a year.

Ky. Eases Weight Burden for Defense

Highway Commissioner J. L. Donaldson has announced that Kentucky will issue permits authorizing carriers hauling defense materials to carry heavier loads, a move that is believed to meet complaints that that State's 18,000-lb. weight limit on trucks is hampering the defense program. Many motor carriers saw in the announcement an acknowledgment that the State's highways were capable of carrying heavier loads and, therefore, that the 18,000-lb. restriction was unnecessarily low. However, they held little hope that the permit

plan would result in any practical benefits.

The order issued by the commissioner would authorize holders of defense permits to operate with gross weights of 24,000 lbs. for single unit trucks, and 32,000 lbs. for semi-trailers. A notarized statement covering each shipment of freight in excess of the 18,000-lb. limit, and a copy of the bill of lading must be sent by the motor carrier to the commissioner of highways within 24 hrs. Trucks for which permits are issued may be used to transport cargo on return trips not coming under the permit, but in such cases they are bound by the 18,000-lb. limitation.

The order also eased the statutory limit on truck length from 30 to 35 ft., and maximum height from 11½ to 12½ ft.

Gross Weight Formula Recommended

A formula basis for scientifically determining the legal gross maximum weights of motor trucks, to supplant the current fixed maximum gross weight basis, was recommended to the California State Legislature by the Motor Vehicle Advisory Committee at the Jan. 6 session of the legislature, at Sacramento.

The recommendations of the Motor Advisory Committee usually are regarded as tantamount to adoption by the legislature because the committee serves as a clearing house for State officials to obtain the consensus of public opinion on suggested changes in the Motor Vehicle Act, to weed out undesirable proposals, and to pass its final findings on to the legislature.

The proposed change in the method of determining the gross maximum weight will eliminate concentration of heavy loads in a short space. It will also provide more flexibility in loading equipment and settle the problem of distribution of weight. While in some instances the proposed new ruling may reduce gross weights on certain types of equipment on which the wheel base is close together, it will, on the other hand, allow greater weight on certain other types.

The committee's recommendations call for repeal of Sections 702 and 103 of the State Motor Vehicle Act in their entirety and substitution of a new Section 705. Under the present law, these sections allow 26,000 lbs. maximum for a 2-axle vehicle and 34,000 lbs. for a 3-axle unit. The portion of the code recommended for elimination established 68,000 lbs. for a combination of vehicles.

The Motor Vehicle Advisory

Committee's proposal, therefore will have the effect of prescribing (a), an axle load of 18,000 lbs. with 9,500 lbs. on any single wheel or dual wheels; and (b), establish the gross weight based upon the formula as set forth in the recommendations:

The gross weight formula is included in a section devoted to "Ratio of Weight to Length," and provides that, on and after Jan. 1, 1942, except as otherwise provided,

"... no vehicle whether operated singly or in a combination of vehicles, and no combination of vehicles shall be operated whose gross weight, with load, exceeds that given by the formula $W=800$ multiplied by $(L \text{ plus } 40)$. In said formula W equals the total gross weight, with load, in pounds; L equals the distance in feet between the first and last axles of the vehicle or combination of vehicles."

Axle weight limits are prescribed as follows:

"The gross weight imposed upon the highway by the wheels of any one axle of a vehicle shall not exceed 18,000 lbs. and the gross weight upon any one wheel, or wheels, supporting one end of an axle shall not exceed 9,500 lbs., except as follows: As to vehicles first registered prior to Jan. 1, 1930, the gross weight imposed upon the highway by the wheels of any one axle shall not exceed 18,000 lbs. and the weight upon any one wheel shall not exceed 11,000 lbs., but this exception shall terminate Dec. 31, 1942."

In regard to the weight on any 2 or more consecutive axles on a vehicle, the committee recommended amendment of Section 705 of the code to read:

"... where the distance between the first and last axles of said 2 or more axles is 18 ft. or less, shall not exceed that (the weight) given by the formula $W=700$ multiplied by $(L \text{ plus } 40)$."

Excepted from this provision until Jan. 1, 1952, are vehicles or combinations registered prior to Jan. 1, 1942, which have 2 or more axles with the distance between first and last axle 18 ft. or less. The recommended formula applicable to such types is $W=800$ multiplied by $(1 \text{ plus } 40)$.

Another exception, also to Jan. 1, 1952, is made for vehicles registered prior to Jan. 1, 1942, which have a distance of not less than 25 ft. and not more than 45 ft. between first and last axles.

The committee recommended that the formula applicable to such vehicles or combinations shall be $W=850$ multiplied by $(L \text{ plus } 40)$, but that no such vehicle or combination shall be operated whose gross weight with the load exceeds 68,000 lbs.—Herr.

Iowa Refuses Rail Rights to Trucking

The Iowa Railroad Commission, in a recent decision, has refused to grant 3 railroads the right to operate trucks over 1,278 miles of Iowa highway routes paralleling their lines. The railroads involved

in the decision were: the Minneapolis & St. Louis, the Rock Island, and the Chicago & Northwestern. Truck lines operating over the same routes, or closely associated ones, filed 48 objections to the application of the rails for trucking rights.

In its decision, which is the reverse of the attitude taken by the California Railroad Commission in similar applications, the Iowa Commission declared: "There is no public need for additional rail or motor carriers proposed to be served under the rail application. Motor carriers serving the territory involved are entitled in the public interest to be protected from unnecessary and unwarranted competition."

This was a majority decision. In similar cases, the California Railroad Commission has issued decisions in which majority opinion was diametrically in opposition to the stand of the Iowa majority.

Truck operators are interested in the fact that in another case, a petition of the Illinois Central Railroad to establish truck service between certain points in Kentucky and Tennessee, the I.C.C. held that a railroad should not be allowed to provide co-ordinated rail-truck service unless it could be shown that existing truck facilities were not equal to public demand, or that the railroad had made every reasonable effort to utilize existing truck facilities to render rail-truck service.

These conflicting decisions are regarded as opening the way to appeals by either side.—Gidlow.

10% Increase in Wis. Contract Rates

The Wisconsin Public Service Commission on Jan. 9 ordered a 10 per cent increase in contract motor carrier rates for hauling freight between distances of 50 to 150 miles within the State. Rates for hauling longer distances were reduced while those for shorter distances remained approximately the same.

The Commission order, effective Feb. 15, provided for exemption as follows:

Unmanufactured forest and farm products, cheese, fluid milk or cream, livestock, lime sludge, sand, gravel, crushed stone, stone, lime dirt, cinders, refuse, ashes, farm supplies or equipment not in excess of 35 miles, local cartage, retail delivery, towing disabled motor vehicles, wool, automobiles and motor vehicles, commodities moved in bulk in tank trucks, new furniture, used household goods and office furniture and equipment and leased vehicles.

The Commission has also ordered contract motor carriers to keep copies of leases of vehicles and a tariff of rates for intrastate transportation on file with the Commission.—W.T.N.B.

FROM THE **LEGAL** VIEWPOINT

By Leo T. Parker, Legal Editor

Discharged Helper Wants Back Wages

LEGAL EDITOR, DandW: We recently released from service one of our employes for improper conduct. He was employed as a helper in loading and unloading trucks engaged in interstate commerce, and claims that he is due back wages by referring to the "Wage and Hour Law." Our drivers are exempt from the rule of this law but we are still awaiting definite decision as to the status of truck loaders under the I. C. C. If we pay him on basis of an 8-hr. day under the Wage and Hour Law, we would never be able to collect refund account overpaid, should the helpers be classified under the I. C. C. 10-hr. law along with the drivers. Do you not think we are correct in waiting for decision?—Warner-Wall Transfer Co.

Answer: According to late high-court cases a person employed solely in interstate work is not under regulations of the "Wage and Hour Law," although he may be indirectly connected with the interstate business of his employer. In other words, the courts hold that in order that an employee shall be within the provisions of the "Wage and Hour Law" he must perform work "necessary" to his employer's interstate business.

Under the circumstances stated, it is my opinion that you should notify the discharged employee of the facts and await the I. C. C. decision, particularly if the Administrator of the "Wage and Hour Law" is agreeable. In any event, the court must decide the employee's status before you can definitely know your rights and liabilities.

Mortgage Lien Has Priority

LEGAL EDITOR, DandW: On April 29, 1936, we brought 2 vanloads of household goods into storage from Harlingen, Texas, for Mr. M. We also brought another vanload from Harlingen for Mr. M. and placed it in his apartment at 1221 Ocean Drive.

On Aug. 28, 1936, Mr. M. borrowed \$250 from Mr. S., giving his note and securing payment by a chattel mortgage. The furniture

listed on the chattel mortgage presumably was at 1221 Ocean Drive, but actually it included some of the pieces in our warehouse and these pieces have been in our possession continuously. Mr. S. sold his note

Mr. Parker answers legal questions on all subjects covered by DandW.

Send him your problems care of this magazine. There will be no charge to our subscribers for the service.

Publication of inquiries and Mr. Parker's replies gives worthwhile information to the industry generally.

to a State bank, now defunct, and the bank transferred this note to a Mr. T. Mr. T. brought suit in August, 1937, and got a final judgment against Mr. M. in September of 1940.

Meanwhile, in April, 1939, we moved Mr. M.'s goods locally and brought 3 pieces into storage that were included in the chattel mortgage. We are placing the warehouse lot on sale at auction. Have we the right to sell the 3 pieces that we brought to storage in April, 1939?

Mr. T. has given us his verbal permission to do so, planning to buy them in at the sale. In event someone else bids them in, would we be in trouble?—Corpus Christie Transfer.

Answer: For the reason that the 3 pieces of furniture were mortgaged before you accepted same for storage, the mortgage lien is prior to your warehouseman's lien unless you entered into a valid contract with Mr. T. whereby he agreed to assume responsibility for your charges. Of course, a verbal contract of this nature is valid and effective. However, if litigation arises involving the verbal contract, you may be obligated to prove by testimony that the contract actually existed, particularly if Mr. T. denies his obligations under the verbal contract.

In legal controversies of this nature the litigants include the warehouseman, the owner of the goods, and the holder of the chattel mortgage. Therefore, a warehouseman is liable who performs any act in violation to the legal rights of either the owner of the goods or the holder of the chattel mortgage. In this case, it is my opinion that you would have a valid right to sell the goods if Mr. T. assigned his rights to you in the mortgage, either under written or verbal contract. This is true, particularly if the owner of the goods had due opportunity to reimburse you and Mr. T. before he relinquished his rights of ownership in the goods.

In controversies of this nature, it is advisable that you properly and legally advertise sale of the goods after entering into a valid contract with the holder of the mortgage, whereby you have the latter's consent to sell the goods. Otherwise, you may be liable.

In view of complications arising in legal matters which involve the owner of the goods, the holder of a chattel mortgage and a warehouseman, it is advisable that the warehouseman consult a local lawyer who is familiar with warehouseman laws and court procedure involving same, because a contract intended to relieve the warehouseman may, without strict adherence of State and Federal laws, be held invalid. Under the latter circumstances, a warehouseman is in exactly the same legal position as if no contract or agreement had been made.

Law of Bailment Explained

LEGAL EDITOR, DandW: On page 37 of your December, 1940, issue you explain the law of bailments. Please give citation and also explain this law in detail.—Western Storage.

Answer: The citation is 142 S.W. (2) 934, decided by a Texas higher court in September, 1940. This law relates in particular to facts as follows: A warehouseman, or other bailee, receives goods, but the owner selects the room in which the goods are stored, and he locks the door and then retains the key. The court

held that under these circumstances no valid and legal bailment existed, because the bailee had no legal possession or control over the goods, and this is necessary before the bailee can be held responsible for loss of or injury to the goods.

This court held that a bailee can be held liable, as a bailee, for the loss of or injury to stored goods only when he has possession thereof, or control over the goods. In other words, where an owner retains control over the goods, the bailee's usual liability is not effective.

For example, assume that the owner of goods sends them to a warehouse, but selects a room in which he stores the goods, pays the warehouseman a rental for the space, locks the door and keeps the key. Obviously, the warehouseman has no account of the articles stored, nor has a right to enter the room and, under these circumstances, if a thief breaks into the room, the warehouseman cannot be held liable unless the testimony proves conclusively that negligence of the warehouseman resulted in the loss. The warehouseman is not required to use ordinary care to safeguard the goods, but he is liable only when the testimony shows that he failed to use care to prevent others from breaking into the room. If one enters by use of a key, the warehouseman is relieved from liability, although the thief utilizes a duplicate key.

On the other hand, it must be realized that circumstances may exist under which a warehouseman is obligated to exercise ordinary care to safeguard goods stored in private compartments, as when the warehouseman retains a key to the compartment in which the goods are stored, or otherwise assumes actual or constructive possession of the goods.

Legality of Permits For Removals

LEGAL EDITOR, *DandW*: We are involved in legal controversy with local authorities who have a local ordinance requiring all warehousemen, and the like, to obtain a permit before removing goods. The question is: Is a city ordinance of this nature valid? It appears that it would violate the Constitution of the United States in that it restricts the free use of private property; interferes with interstate commerce; and is not a proper exercise of police powers. — *Rolmen and Co.*

Answer: Any exercise of police powers is legal which is intended to benefit the general public. In other words, it is not illegal for municipal authorities to pass an ordinance requiring certain acts to

be performed by warehousemen which will decrease the chances of spread of disease; increase the morale of the citizens; benefit the public generally; assure to the people the right of freedom and at the same time tend to prevent crime, immorality, and similar disadvantages to the general public.

Therefore, the courts have held that it is within the police power of city officials to compel persons who intend to remove goods, to obtain permits, providing the character of the goods is such that compliance with the ordinance may benefit the general public. For instance, it could be said that the purpose of the ordinance is to prevent removal or change of location of goods which are likely to spread disease, under which circumstances the ordinance would be valid. Of course, if the goods were to be moved in interstate commerce, there would be less chance for the ordinance to be held valid, but even so, taking the goods through the streets could be held to be dangerous to the health of the general public. And if a reasonable portion of the permit charges are used to pay officials to enforce the ordinance the courts hold same to be valid. For variations of the law on this subject see following higher court cases: 92 S.W. 261; 166 So 310; 165 So. 315; 99 S.W. (2D) 1033; 270 N.W. 544; 179 Atl. 665; 4 N.E. (2D) 628; 262 N.W. 70; 167 Atl. 664; and 149 So. 843. Also, see important case of 49 Fed. (2d) 870 in which a Federal Court interpreted a law which required warehousemen to keep records; and again, see 149 So. 470; and 143 Atl. 438. For cases on police powers, see 65 Pac. (2d) 436; 363 Ill. 409; and 292 Pac. 194.

Notifying Executor Before Sale

LEGAL EDITOR, *DandW*: With reference to a sale of household goods to cover a warehouseman's lien, would a notice to the executor of an estate come in the same category as anyone else when you were selling their goods? We mean by that,—can we legally sell goods which are stored by the executor of an estate by going through the legal procedure covered by the California law? — *Security Van & Storage Co.*

Answer: A warehouseman is liable when he delivers stored goods to one not "lawfully entitled to the possession of the goods," or when he makes delivery in disregard to anyone who is "lawfully entitled to a right of property or possession in the goods." Also, the law provides that a warehouseman may satisfy his lien by adhering to the law of notifications and advertisements of

the intended sale to the person on whose account the goods are held, or to any other person known by the warehouseman to claim an interest in the goods.

Under these circumstances, and since the law recognizes that an executor has an interest in the goods, it may be legal for you to include him in your notifications, but when practical you should also include others who have interest in the goods. Of course, if any serious doubts arise as to true ownership of stored goods you should submit the facts to the court which will decide for you all future legal acts with respect to the goods. In this manner, you will avoid any and all liability.

This Month's Important Higher Court Cases

Warehouseman Liable For Damage to Piano

GENERALLY speaking, a warehouseman may avoid liability for loss of or injury to stored goods if he proves that he exercised ordinary care to safeguard the goods. However, where an owner of stored goods proves damages to his merchandise and the warehouseman neither disproves the allegations, or that the damages did not result from his negligence, he will be held liable.

For illustration, in *McDonald v. Badie*, 198 So. 545, it was disclosed that a suit was filed against the warehouseman by the owner of the piano who alleged that the piano was damaged while in storage.

During the trial, testimony was given that when the piano was stored, with other household goods, it was in perfect condition, and that when it was returned "the top of the piano was warped; the veneer was torn off; some of the pieces of wood were falling out; and the bench was all apart." This testimony was verified by several persons among whom was a piano tuner, a friend of the owner of the piano, and other witnesses in favor of the owner. The warehouseman testified that he was reluctant to store the piano because of its damaged condition; that it was "just a bunch of junk"; and that he returned it in the same condition that he received it. He exhibited a storage receipt in which there is noted the following concerning the piano: "legs broken and damaged." He stated that 3 men besides himself participated in the moving of the piano, but none of these men were produced on the witness stand.

In view of this testimony the higher court held the warehouseman liable for the sum of \$200, the estimated damage to the piano.

Legal Duty of Warehouseman

THE law imposes upon warehousemen full and complete liability for any loss or injury to goods caused by their failure to exercise such care in regard to them as a reasonably careful owner of similar goods would exercise. However, a warehouseman is not liable for any loss or injury to goods which could not have been avoided by exercise of such care as would have been exercised by other reasonably careful and experienced warehousemen with respect to similar merchandise. Another important point of law is that unless the owner of the lost, destroyed or damaged goods holds a warehouse receipt and demands that the warehouseman deliver the goods in good condition, the owner of the goods automatically assumes the burden of proving that the injury resulted from negligence on the part of the warehouseman, or his employees.

If the owner fails to prove these facts, the warehouseman automatically is relieved from liability.

For example, in *Carando v. Springfield Cold Storage Co., Inc.*, 29 N. E. (2nd) 697, Massachusetts, suit was filed against a warehouseman to recover damages for the spoilage of Italian salami while stored in the cold storage warehouse, under an agreement that the storage temperature should not exceed 45 degs. The lower court listened to the testimony and decided that the warehouseman had exercised the same degree of care in the storage and keeping of the salami, under the circumstances, as a reasonably careful man would exercise over similar goods of his own. Therefore, the lower court held the warehouseman not liable. The owner of the goods appealed to the higher court and contended that he was entitled to a recovery of damages because the warehouseman did not act in a prudent and careful manner in handling the salami. However, the owner did not introduce convincing testimony to prove that the warehouseman had failed to use ordinary care to protect the salami against spoilage and he did not demand, as holder of a warehouse receipt, that the warehouseman deliver the goods in good condition.

Therefore, the higher court upheld the lower court and, in holding the warehouseman not liable, said:

"The defendant, as a cold storage warehouseman, was liable for any loss or injury to the goods caused by his failure to exercise such care in regard to them as a reasonably careful owner of similar goods would exercise; but not, in the absence of an agreement to the contrary, for any loss or injury to the goods which could not have been avoided by the exercise of such care." This rule conforms to the rule existing at common law, and, there being no evidence of a demand by the plaintiff as a holder of a ware-

house receipt, under G.L. (Ter. Ed.) c. 105, the burden was on the plaintiff to prove that his goods were damaged through the defendant's (warehouseman) negligence."

Don't Rely Upon Danger Signals

CONTRARY to the opinion of a majority of motor truck drivers, railroad danger signals are for the convenience of the general public and the company is not, under certain circumstances, liable for injuries resulting from failure of the signals to operate.

For instance, in *Gove v. Boston & M. R. R.*, 29 N. E. (2nd) 699, Massachusetts, a warehouse motor truck driver was killed by a train when he drove the truck upon a track because the danger signals were not in operating condition. The court held the railway company not liable, and said:

"The instestate (driver) was familiar with the crossing. It is hard to understand why the instestate did not reasonably hear the noise of the train approaching. Even if we assume that the automatic signals were not working, yet the instestate must have realized that a grade crossing is a place of danger and he could not trust his safety entirely to the fact that the signals did not indicate the approach of a train."

Intoxicated Driver Sentenced For Murder

MODERN higher courts inflict heavy punishment on intoxicated drivers of motor vehicles who effect injuries to others. Also, while a majority of readers are not familiar with the law on this subject, yet it is true that the owner, or employer of an intoxicated driver, may be equally as guilty of crime as the intoxicated driver who causes an injury.

For illustration, in *Brewer v. State*, 143 S. W. (2nd) 599, Texas, it was shown that the owner of a motor vehicle loaned it to a companion who was drunk. While the latter was driving the car, he accidentally ran over and killed a pedestrian. The court held both the driver and the owner of the vehicle guilty of murder and sentenced each to serve 5 yrs. in the penitentiary. This court said:

"If the owner of a dangerous instrumentality like an automobile knowingly puts that instrumentality in the immediate control of a careless and reckless driver, sits by his side, and permits him without protest so recklessly and negligently to operate the car as to cause the death of another, he is as much responsible as the man at the wheel."

Also, it is important to know that in *Cockrell v. State*, 135 Tex. Co. R. 218, 117 S. W. (2nd) 1105, a drunken driver of a car recklessly and negligently ran it into 2 small boys and killed them. He was sentenced to serve 45 yrs. in the penitentiary.

Switchman Held Interstate Worker

ACCORDING to a decision rendered by a recent higher court, any and all employees who perform transportation service on goods destined for interstate shipment are interstate workers. This is so, because transportation begins when merchandise is placed in the possession of a carrier, and the essential character of the commerce determines whether it is interstate in its character.

In this late case, *Herb v. Pircain*, 29 N. E. (2nd) 543, Illinois, the question presented the court was whether a railway switchman was an interstate employee at the time he was switching cars from the Staley Company's warehouse. The testimony proved that the reason for moving the U. P. car from the Staley Company's warehouse was so that it would be delivered to the Illinois Central Railroad to be transported interstate. The court held the switchman to be under interstate regulations, and said:

"The only question is whether or not plaintiff's crew, in picking up the U. P. car from the siding adjacent to the Staley warehouse and moving it to another switch track where it was to be picked up by another crew to be delivered to the Illinois Central Railroad, was engaged in interstate transportation. It is the conclusion of this court that the facts adequately disclosed that the crew was so engaged, and that the plaintiff was engaged in interstate transportation so as to bring him within the purview of the Acts of Congress."

Law of "Package" Taxation

MERCHANDISE, shipped or stored in the "original package," may not be subject to State taxation. Therefore, it is important to know that "original package," as applied to interstate and international commerce, is a package, bundle, or aggregation of goods, put up in whatever form, or receptacle for transportation, and as a unit transported from one state to another. In other words, it is the identical package delivered by the consignor to the carrier at the initial point of shipment in which it was shipped.

The term "package" in such instances comprises 2 things: First, a receptacle of whatever form or character; and, second, the contents thereof. Both together make up the package. The receptacle may be, for instance, a box, bale, case, barrel, hogshead, or even a tank as used on a tank car, or a tank steamer; the contents may be, for instance, in packages or bottles, or in bulk. They may be solid or liquid. When the goods have been placed inside the container, the 2 comprise a completed package, and it is that identical package, that unit, that entity received, transported, and delivered by the carrier, which constitutes the original package.

Also, imports stored in a Government bonded warehouse under joint custody of the warehouseman and United States customs officials, as provided for in the Tariff Act of 1930, are not subject to taxation by either a city or county under Art. 1, Sec. 10, of the Constitution of the United States, until payment of duty and release by customs officials are completed.

Notwithstanding these laws which prohibit taxation of merchandise, in these classifications, by the State, county or municipality, in which the goods are situated, all other classifications of goods are subject to such taxation.

For example, in *Tres Co. v. Abbott*, 105 Pac. (2nd) 1070, New Mexico, the court construed Section 1555, Title 19, U.S.C.A. which provides:

"Bonded warehouses. Buildings or parts of buildings and other enclosures may be designated by the Secretary of the Treasury as bonded warehouses for the storage of imported merchandise entered for warehousing. . . . Such warehouses may be bonded for the storing of such merchandise only as shall belong or be consigned to the owners or proprietors thereof and be known as private bonded warehouses, or for the storage of imported merchandise generally and be known as public bonded warehouses. . . . Except as otherwise provided, bonded warehouses shall be used solely for the storage of imported merchandise and shall be placed in charge of a proper officer of the customs, who, together with the proprietor thereof, shall have joint custody of all merchandise stored in the warehouse. . . ."

Another question presented this court was: Are all goods in original package immune from State taxation?

This court stated important law, as follows:

"When the importer has so acted upon the thing imported, that it has become incorporated and mixed up with the mass of the property in the country, it has lost its distinctive character as an import, and has become subject to the taxing power of the State. . . . We are impressed by the contention that each railroad car constitutes an 'original package.' We see no distinction between the terms 'original form' and 'original package.'"

Also, with respect to State taxation on imports, this court held:

"If a State cannot impose taxes after the United States customs have been paid so long as the imported article has not been commingled with the property of the State, then, conversely, a State can impose taxes before the United States customs have been paid whenever the imported article has been commingled with the property of the State."

Wharf Held to be Utility

GENERALLY speaking, a **G** business or property held out by its owner to be for use by the general public, and a stipulated rate or toll is charged for the services rendered, is a public utility subject to regulation by the Public Service Commission.

For instance, in *City of Oakland v. El Dorado Terminal Co.*, 106 Pac. (2nd) 1000, California, it was

shown that the owner of private land abutting a stream, operated a wharf and charged toll for services rendered customers. In holding the wharf to be a public utility subject to regulation by the Public Service Commission, the court stated important law, as follows:

"If the property involved is held for public use, or is usable by the public generally, with a charge, such as a toll paid for such use, it comes within the classification of a public utility and permission, generally in the form of a franchise from governmental authority, is necessary. The operation of this wharf, and the taking of tolls brings it within the category of a public utility."

Interstate Suit

MANY State legislatures have passed laws intended to compel all firms which transact intrastate business to secure a permit to "do business." Failure to obtain the permit usually results in refusal of the State authorities to permit such firm to file a suit within the State. However, modern courts hold that a foreign corporation needs no permit to transact business in the State in order to maintain a suit in the State with respect to an interstate transaction, regardless of the fact that the corporation maintains an office and is doing business in the State without a permit. So held the higher court in *Continental Supply Co. v. Hoffman*, 144 S. W. (2nd) 253, Texas.

The facts of this case are that a Delaware corporation, whose principal office is in Texas, sued a purchaser for the purchase price of merchandise sold in interstate commerce. Although the evidence failed to prove that the corporation had a permit to transact business in the State of Texas, the higher court held that the suit may be filed notwithstanding a State law which provides:

"Any corporation for . . . profit . . . organized or created under the laws of another State . . . desiring to transact or solicit business in Texas, or to establish a general or special office in this State, shall file with the Secretary of State a duly certified copy of the articles of incorporation; and thereon such official shall issue to such corporation a permit to transact business in this State . . ."

The court said:

"It is well settled that the provisions of law have reference exclusively to demands which arise out of intrastate transactions. They do not apply to demands which arise out of interstate transactions—that is to say, transactions which involve interstate commerce. In a word, as regards interstate transactions no permit to transact business is required."

Validity of Zoning Ordinance

IT is well known that private property cannot, under the guise of police power, be subjected to unreasonable annoyance and arbitrary restriction of its use where public welfare can in no way receive benefit by such restriction. On the other hand, a zoning ordi-

nance which is for the purpose of promoting the health, safety, morals and the general welfare of the community represents a valid exercise of the police power by a municipality in its governmental capacity. Moreover, the fact that a city official or employee fails in certain particulars to enforce the regulation cannot render it invalid, nor estop the City from asserting its validity.

For example, in *City of Corpus Christi v. Jones*, 144 S. W. (2nd) 388, Texas, the testimony showed that notwithstanding a zoning ordinance had been passed, the city engineer issued a permit for erection of an ice plant and cold storage warehouse. And no city official informed the owner of the plant that the erection of same would be violative of a zoning ordinance. Soon after the plant was completed, the city officials threatened to close the plant, contending it was being operated in violation of the Zoning Ordinance. The owners of the plant appealed to the higher court which held the ordinance valid and effective, saying:

"All property is held subject to the valid exercise of the police power; nor are regulations unconstitutional merely because they operate as a restraint upon private rights of person or property or will result in loss to individuals. The infliction of such loss is not a deprivation of property without due process of law; the exertion of the police power upon subjects lying within its scope, in a proper and lawful manner, is due process of law."

Warehouseman's Duty to Avoid Injury

A WAREHOUSEMAN is duty-bound to exercise a predetermined degree of care to safeguard all persons against injury. The degree of care is dependent upon the legal relationship between the warehouseman and the injured person. For instance, a warehouseman's duty of care toward trespassers, licensees and persons on the premises by invitation, varies.

The warehouseman is bound to exercise an ordinary degree of care to safeguard employees, customers and other invited persons against injury. With respect to licensees, and others who come upon the warehouse premises without special business or invitation, the warehouseman will not be held liable for an injury unless his gross negligence resulted in the injury. With respect to trespassers a warehouseman need exercise no degree of care to protect them against injury, and he will not be held liable unless the testimony proves conclusively that he purposely and wilfully effected the injury.

For example, in *Perl v. Peterson, Paoli Co.*, 294 N. W. 697, Michigan, it was shown that a person employed as a warehouse foreman was seriously injured when he slipped

upon ice which formed on the steps of another warehouse to which he went to transact business. He sued the owner of the mentioned warehouse for damages and alleged that the latter was negligent and did not exercise ordinary care to remove the ice from the steps.

In holding the warehouseman liable for \$10,000 damages, the higher court said:

"What was the defendant's (warehouseman's) duty to plaintiff, assuming that plaintiff was an invitee? It was to use the care that an ordinarily careful and prudent person would use under the same or similar circumstances to avoid causing injury to plaintiff or to the public generally."

Broker Subject to Taxation

FREQUENTLY, manufacturers and sellers engage in both interstate and intrastate business. Therefore, it is important to know that although interstate commerce cannot be taxed or regulated by State legislation, and the commerce clause of the Federal Constitution exempts all such commerce from regulation or taxation by State authority, yet the doing of business that constitutes intrastate business always is subject to State taxation.

For instance, in *State v. W. M. Meador & Company, Inc.*, 198 So. 163, Alabama, suit was filed by the State of Alabama to recover payment of taxation from sales of merchandise made by a commission broker whose main offices are in Alabama. During the trial, testimony was given that the broker contacted buyers in Alabama and took orders for merchandise which was shipped to the buyers by the sellers located in other States. The higher court held the broker not subject to taxation by Alabama for these sales, and said:

"Of course if it is a 'merchandise broker' engaged solely in interstate commerce, no license may be exacted of it by the State."

On the other hand, the testimony proved that the broker also took orders from buyers in Alabama for merchandise delivered by manufacturers in Alabama. The court held the broker subject to payment of taxation in view of these orders, and said:

"But appellee (broker) admittedly, was engaged as a 'merchandise broker' in intrastate business, as well as in interstate business. . . . If the company engage in business within the State of a local nature, as distinguished from an interstate or foreign kind of commerce, it becomes subject to the statute so far only as concerns its local business, notwithstanding it may at the same time engage in interstate or foreign commerce."

When Passing Title Is Important

IN many kinds of litigations an important consideration of the court is: When did title to merchandise pass to the purchaser?

The law is well established that the fact that the buyer at the time

of the purchase pays the shipping charges to the seller, or might direct the seller to ship it f.o.b. at the place of shipment, does not alter the character of the transaction in the least.

Generally speaking, the legal title to merchandise is transferred to the buyer at such time as the parties to the contract intend it to be transferred. However, when determining whether a particular transaction is interstate or intrastate, the matter of when or how title to the goods passed is not important.

For illustration, in *Nudelman v. Glove Co.*, 114 Fed. (2nd) 916, Illinois, it was shown that an Illinois manufacturer had its main place of business in Chicago. A railroad company had offices and freight stations in that city. The railroad company placed a written order with the manufacturer for certain merchandise, and requested the manufacturer to ship the order to its storekeeper, Milwaukee Shops, Wisconsin. The order further stated that the receipted bill of lading must accompany the invoice and be sent to the railroad company's purchasing agent, and that the manufacturer should strictly comply with all instructions and specifications.

The manufacturer complied with the order in all respects and delivered the merchandise properly consigned to the consignee at Milwaukee.

The Illinois State authorities sued the manufacturer to recover payment of the State retail sales taxes on the goods. However, the higher court held transactions of this kind not subject to State taxation, and said:

"Was the transaction in interstate commerce? We think it was. The facts are stipulated that the paint was purchased in Illinois, under instructions from the buyer for the seller to consign it to Milwaukee, Wisconsin, deliver it to a freight station of a specified railroad in Chicago, secure a receipted bill of lading, and deliver the receipted bill to the buyer's purchasing agent. These instructions were fully complied with, and the transportation was continuous from the time the paint left the seller's place of business until it reached its destination in Milwaukee."

Pa. Fixes Minimum H.H.G. Rates

"Experimental" minimum truck rates for moving household goods have been fixed by the Pennsylvania State Public Utility Commission in what was announced as its first move to eliminate "disastrous throat-cutting competition between rails and trucks in Pennsylvania."

Fixed Dec. 6 to become effective Jan. 1, 1941, the "experimental rates" apply to intrastate shipments of household goods for dis-

tances of more than 40 miles. Varying according to distance and weight, the new regulations were said to closely follow those of the I.C.C.

The Pennsylvania regulatory body said the record of its investigation "amply justifies the conclusion that conditions in the (trucking) industry are such that it becomes necessary that the Commission exercise its minimum rate powers to correct unjust discrimination and unfair destructive practices and to foster sound economic conditions in the industry."

The action was described by Edward Gogolin, Harrisburg, general manager of the Pennsylvania Motor Truck Assn., as "consistent with the interests of the public and the carriers, and fulfills the often heard demand for equality of competition while at the same time permitting development consistent with ability to serve.—Jones.

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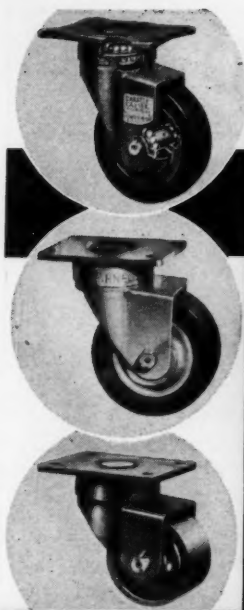
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(Concluded on page 43)



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New

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without Insulation!**

Here, at last, is the peak of perfection in a Fur Storage Department, achieved through many years of research and practical experience. So revolutionary is this new method of storage that it makes all previous standards obsolete.

This method of storage will keep a straight line of temperature and relative humidity day in and day out during the entire year . . . and it does away with expensive insulation. The cost of installing a Reliable Fur Cleaning and Storage Department is low and pays for itself. Write for information.

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WORKS, INC.** 130 W. 29th ST.
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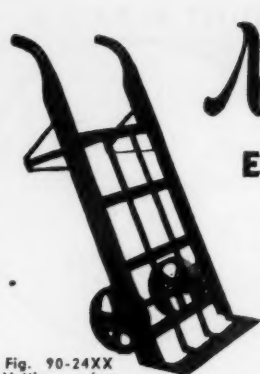


Fig. 90-24XX
Nutting makes
every size and
style of 2-wheel
trucks.

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FLOOR TRUCKS
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Everything for the Warehouse

Anything you want, from the smallest 2-wheel truck or dolly to the huskiest wood or all-steel platform truck or trailer—you will find in the Nutting line of more than 1000 styles—the most complete line of floor trucks in America—"always on wheels ready to go."



Fig. 456 Steel
Frame Bar
Handle Truck,
Capacity 4000
lbs.

Representatives in Principal Cities

Consult the Classified Section of your phone directory—or write direct to us for Bulletin 41-G showing Nutting Floor Trucks and Rubber Tired Wheels and Casters.

NUTTING TRUCK and CASTER CO.

Formerly Nutting Truck Co.

1161 Division St., W.

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FLOOR TRUCK LEADERSHIP SINCE 1891



COLSON DRUM TRUCKS

pay their way
in SAFETY and
ECONOMY

- One man operation
- No strain on operator
- Handle heaviest drums and barrels
- Instant adjustment for drums 24" to 40"
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- Ball bearing wheels—Steel or rubber tired

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CASTERS • INDUSTRIAL TRUCKS AND PLATFORMS • LIFT JACK SYSTEMS



TRAILERS (Motor Truck)

Fruehauf Trailer Co., 10936 Harper Ave., Detroit, Mich.
(See advertisement elsewhere in this issue.)

TRUCK BODIES (Refrigerated)

Fruehauf Trailer Co., 10936 Harper Ave., Detroit, Mich.
(See advertisement elsewhere in this issue.)

International Harvester Co., Inc., 180 No. Michigan St., Chicago, Ill.
(See advertisement elsewhere in this issue.)

TRUCKS (Cabinets & Ranges)

Self-Lifting Piano Truck Co., Findlay, Ohio.
(See advertisement elsewhere in this issue.)

TRUCKS (Drum)

Colson Corp., 341 Cedar St., Elyria, Ohio.

TRUCKS (Fork)

Automatic Transportation Co., 115 West 87th St., Chicago, Ill.

Baker-Raulang Co., 2176 W. 25th St., Cleveland, Ohio.
(See advertisement elsewhere in this issue.)

Towmotor Co., 1269 E. 152nd St., Cleveland, Ohio.
(See advertisement elsewhere in this issue.)

"Light Boy" New Barrett Lift Truck

KOWN as model GX or "Light Boy," a new lift truck introduced by Barrett-Cravens has a capacity of 2,500 lbs. and a full lift of 3 in., accomplished with either 4 full or short strokes.

Ball bearing wheels are standard equipment. There are wheels in all. The front wheels are wide-spread for stability. Fewer parts throughout are claimed for this new model, which



is made in sizes ranging from 30 in. to 144 in. long in multiples of 6 in., with either 6, 7, 9 or 11-in. diameter wheels. Widths are 18 and 24 in.

The new model FX named the "Pay Boy" has the same general specifications, the same 3-in. lift, but has a capacity of 3,500 lbs. Both types have angle lift and a spring handle holdup.

Literature is available upon request to Barrett-Cravens Co., 3250 W. 30th St., Chicago.—DandW.

HALLOWELL



More mileage, Less maintenance!

STEEL TRUCKS

"Hallowell" Trucks withstand constant punishment without the expensive maintenance attention required by ordinary trucks. Enthusiastic users report that savings soon pay off the surprisingly low first cost.

Steel plate platforms . . . welded construction . . . wheels that roll easily under all loads—these are the "HALLOWELL" features that insure years of trouble-free operation!

Investigate for yourself!

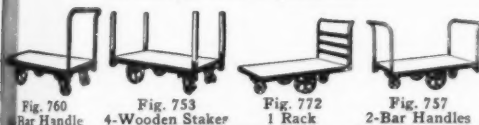


Fig. 760 Bar Handle Fig. 753 4-Wooden Staker Fig. 772 1 Rack Fig. 757 2-Bar Handles

STANDARD PRESSED STEEL CO.

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TRUCKS, HAND (Cartons & Cases)

Nutting Truck & Caster Co., 1161 Division St., W., Faribault, Minn.
(See advertisement elsewhere in this issue.)

Self-Lifting Piano Truck Co., Findlay, Ohio.

Standard Pressed Steel Co., Box 560, Jenkintown, Pa. (Platform)

TRUCKS (Jack)

Colson Corp., 341 Cedar St., Elyria, Ohio.
(See advertisement elsewhere in this issue.)

TRUCKS (Lift)

Automatic Transportation Co., 115 West 87th St., Chicago, Ill.

Baker-Raulang Co., 2176 W. 25th St., Cleveland, Ohio.
(See advertisement elsewhere in this issue.)

Powermotor Co., 1260 E. 152nd St., Cleveland, Ohio.
(See advertisement elsewhere in this issue.)

TRUCKS (Refrigerator)

Nutting Truck & Caster Co., 1161 Division St., W., Faribault, Minn.

(See advertisement elsewhere in this issue.)

Self-Lifting Piano Truck Co., Findlay, Ohio.

(Concluded from page 40)

liquid washes gears and gear case, allowing all foreign matter to drain freely out the drain plug.

By other methods, as much as 20 per cent of old lubricant, tars and gums are left in the case, it is claimed. The use of the Dee Tee vapor cleaner permits a full factory refill of live new lubricant. Winter gear maintenance is also simplified, since this cleaner thaws as it cleans. For literature, write the Fireco Products Co., Cleveland, Ohio.—DandW.



All makes of refrigerators are handled with a big saving in time and effort when you are equipped with the latest Refrigerator Truck engineered by Self-Lifting. Time saved pays for the truck many times over. Our trucks, designed for ranges, pianos, boxes and cartons, are saving money for their owners everywhere. Write for bulletins and prices.

SELF-LIFTING PIANO TRUCK CO.
FINDLAY, OHIO

VAULTS (Moth Proof)

Reliable Machine Works, Inc., 130 West 20th St., New York, N. Y.

(See advertisement elsewhere in this issue.)

WHEELS (Industrial Truck)

Darnell Corp., Ltd., Box 4027, Sta. B, Long Beach, Cal.

(See advertisement elsewhere in this issue.)

Nutting Truck & Caster Co., 1161 Division St., W., Faribault, Minn.

(See advertisement elsewhere in this issue.)

Safety a Moot Question in Cold Storage and Trucking

(Concluded from page 25)

still running and the man was found inside dead, there being no way by which he could have opened the door from the inside.

There was also described another somewhat similar near-accident. A man had entered the hardening room of a refrigerating plant to remain for a short period and had closed the door behind him, relying on the inside extension of the door latch to permit him to leave. But the inside latch came off and he was imprisoned in the small room at below-zero temperature. Fortunately he was able, by exercising himself almost to exhaustion, to keep from freezing until he was rescued.

As remedies, it was advised that all doors leading into tight refrigerated truck bodies, or hardening rooms of refrigeration plants, always should be fitted with latches with inside extensions, held in place by strong bolts extending entirely through the door, so there could be no chance of the inside latch pulling off. Another safety precaution being taken in the hardening rooms of some refrigeration plants, is to string wire around the inside wall, and at a suitable spot along this wire, attach an axe to remain there permanently. This must be at a spot where there is no obstruction in the wall or on the outer side, so the imprisoned man soon could chop his way through the wall which usually is only 6 to 8 in. thick. Many rooms also have inside operated buzzer signals to the outside.

A further safety precaution was suggested for a truck carrying frozen foods, and equipped with a compartment reached through a small high door which usually causes the driver to climb up on a wheel for getting materials out. This climb is an accident hazard, and the remedy on some trucks is a special drop-hinged step. The use of the step saves time and energy, and if the driver should forget to fold it back up, one complete revolution of the truck wheel after he starts will automatically lift and fold it back into the body.

There is another property-damage hazard to refrigerated trucks which are recharged periodically with a refrigerant from a central compressor. This usually is done at night. And when the driver comes rushing for his morning start away from the dock, he may forget to disconnect the recharging cable or pipe. He starts driving away and may cause a good deal of equipment damage and possibly an injury. One company has adopted the following triple remedy. When an attendant makes such a connection to a truck he always removes the truck's starter key. He also places a sign on the truck announcing that it is "connected"; and he places against a truck tire a sizeable block obstruction which must be lifted away before the vehicle can be set going and which also protects it from being accidentally shifted away from the dock.

Additional safety precautions in frozen food refrigeration plants relate to clothing. Often somebody will go inside a hardening room, maybe in light Summer wear and expecting to stay only a short time. If he should remain longer he will become unnecessarily uncomfortable or may risk health injury. So there should always be extra Esquimaux clothing handy for putting on. It has proved a good idea, also, to have outside the freezing room some sort of quick heater especially to dry out wet gloves and shoes.

W. Bailey Wright, safety director, Eastern Shore Public Service Co., Salisbury, Md., in his discussion of "Ice Plants," mentioned a glove which has proved very satisfactory and economical for handling frozen foods,

and especially sea foods which must be dipped in water after being frozen. They are rubberized gloves made for electric linemen, but discarded by them because not able to meet the exacting high voltage resistance test. Even though faulty or somewhat worn, such gloves, worn with thin woolen gloves underneath, retain a good deal of utility for handling frozen products.

In hardening rooms there is sometimes a hazard from the falling of pipes which have become so encrusted with ice as to tear them down. One delegate reported that this hazard was being controlled in his plant by going among the pipes whenever necessary with the nozzle of an extension compressed hose, to blow off the little snow-like needles before they had become too large or compact.

General Chairman Brall pointed out, during the final session, that the increasing refrigeration needs of the new quick-frozen food industry had brought with it new accident prevention problems. However, this new branch of the food industry which needs refrigeration as an integral part of its processing, is not yet participating actively in work of the refrigeration Section of the National Safety Council. He cordially invited such cooperation. Previously most of the accident hazards for the refrigeration industry have been in the manufacturing and handling of ice. But now, refrigeration is presenting distinct hazards to the frozen food industry.

One of the special subjects considered at the Safety Congress, of interest to all refrigeration plant operators with motor vehicle fleets, was a report made on "Winter Driving Hazards." It especially considered skidding which covers 50 per cent of accidents on snowy or icy roads. It was made by Ralph A. Moyer, Associate Professor of Highway Engineering, Iowa State College. His Committee last winter made 3000 tests on the frozen surface of Lake Cadillac, Mich. They have exploded at least three popular beliefs about skidding control. First, the presence or absence of tread on tires has little effect on skidding over ice, although well-cut treads are effective on wet pavements. Second, under inflating of tires to get better traction is largely useless; it adds a little extra straight-way grip but makes curves more hazardous. Third, all ice is not equally slippery; ice at near zero temperature is really somewhat sticky, and water on ice makes it twice as slippery. Complete chains help prevent skidding. Rear chains on ice cut braking distance 40 per cent; and front chains decrease the distance 30 per cent more.

—Howard.

Jacksonville Harbor Improvement

The Port Bureau of the Jacksonville Chamber of Commerce, under the chairmanship of Horace C. Avery, president of the Union Terminal Warehouse Co., recently asked the Board of Engineers for Rivers and Harbors, Washington, D. C., that the time limit for filing an appeal with the board concerning the importance of the Jacksonville, Fla., harbor with regard to national defense be extended from Dec. 17 to Jan. 19.

Col. J. J. Bain, division engineer representing the United States Engineer Department at Richmond, recently made a report to Washington favoring certain improvements to the harbor which were substantially in line with local desires. However, as stated by Chairman Avery, new developments in connection with the Naval Reserve Armory and the harbor as a whole have arisen, and it is felt that additional time is needed to secure further data. The improvements recommended include a new channel between Commodore Point and the Bull Steamship Co., improvements to Terminal Channel and at the head of the harbor, all these being in agreement with local wishes.—Lord.

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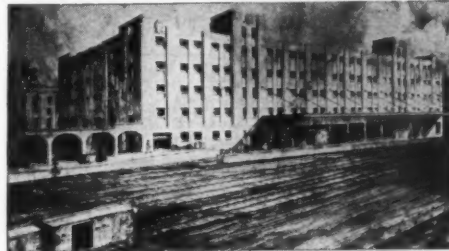
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Cool Room Accommodations

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NATIONAL WAREHOUSING SERVICE,
519 West Roosevelt Rd.,
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New York

ATTENTION
SHIPPERS

Nearness of stocks encourages
customers to buy. Manufacturers
who force their trade to wait for a
week or two lose orders to those who
have a convenient supply close at hand.

**Rehearing on Bekins
Certificate**

Bekins Van Lines, Inc., Los Angeles, has been granted a rehearing by the California Railroad Commission in the case of Decision 33135 which in the Summer of 1940 authorized the company to operate a certificated common carrier of household goods under a certificate of public convenience and necessity in lieu of suspension of all its other operating rights in effect at that time.

The new certificate embraced territories not then served by the Bekins Van Lines, Inc., in various portions of the metropolitan area of Los Angeles and Long Beach, the San Joaquin Valley, north to Stockton, the Coast Highway, and Southeastern California between Los Angeles and the Arizona line. The new certificate restricted the carriage of new household goods, fixtures and equipment "when not intended for the purpose of resale."

The company's application for a rehearing was based on the contention that the new certificate, granted under Decision 33135, deprived the firm of a part of its originally held operating rights.—Herr.

**Lawrence Financing
Approved by C.R.C.**

Lawrence Warehouse Co. has received approval of its application from the California Railroad Commission to issue and sell 10,000 shares of cumulative 6 per cent convertible preferred stock of par value of \$25 for cash at \$22.50 and to use the proceeds to redeem outstanding 6 per cent preferred stock, which will be used to pay outstanding bank loss.

The company also was granted permission to issue 4,000 shares of common stock of no par value to be held in the company treasury for exchange of \$25 par value preferred stock on the basis of 2½ shares of preferred for one of common stock.

Supporting information filed with the C.R.C. by Hildreth, secretary-treasurer of Lawrence Warehouse Co., disclosed that the firm operates 800 field warehouses in 42 States and Hawaii, including bonded warehouses in San Francisco, Fresno, Montpelier and San Jose, Cal., in Michigan and in the Chicago area.

Data submitted by Mr. Hildreth also disclosed the company's assets to total \$1,386,726.89, which were balanced by a like amount of liabilities; that company revenue in 1938 was \$3,097,839.23 against net income of \$113,816.03; revenue in 1939, \$3,472,746.69 against net income of \$101,169.53; and for the first 9 months of 1940, revenues of \$2,827,503.81 against net income for that period of \$78,363.14.

In granting the application, the C.R.C. agreed the reasonable necessity for providing additional working capital had been shown.—Herr.

**San Joaquin Compress Given
Warehouse Permit**

The California Railroad Commission has issued an amended ruling granting the San Joaquin Compress Warehouse Co. a permit to serve as a warehouseman on a temporary basis until Dec. 31, 1941, and authorizing it to store up to 80,000 bales of high-density cotton in 2 leased warehouses at Los Angeles Harbor.

The ruling supercedes one handed down Sept. 1, 1940, which denied the company's application for a warehouseman's certificate on the ground that evidence relative to the public necessity for the proposed warehouse service had been contradictory and that for some 3 yrs. the firm had been conducting, apparently unlawfully, a warehouse business seemingly of the same character.

(Concluded on page 49)

LOS ANGELES, CAL.

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Star Truck & Warehouse Co.COMPLETE FACILITIES EFFICIENT SERVICE
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WAREHOUSING SERVICE***Where
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DEEP WATER TERMINAL and STORAGE WAREHOUSES
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Members: NFWA—AWA—ACW—AVL Agents

ATTENTION SHIPPERS

Local traffic matters are studied and freight shipments given best routing. Ordinarily, it is difficult for the most efficient traffic department to know all changes in distant parts of the country.

HARTFORD, CONN.

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Fireproof Warehouses
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Motor Truck Service to all towns in Connecticut.
Low Insurance Rate. Prompt, Efficient Service.

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Member—NFWA, AVL, WWA, CS&TA, DCTA

WASHINGTON, D. C.

Maurice Kressin, Mgr.

Manhattan Storage & Transfer Co.
639 New York Ave., N.W., Washington, D. C.
Household Goods storage, packing, shipping. Pool Car Distribution Merchandise.
Lift vans local delivery.
Member Ind. Movers & Warehousemen's Assoc.

San Joaquin Compress Given Warehouse Permit

(Concluded from page 46)

after as that for which the original certificate had been sought.

The application originally sought authority to store cotton in bales, regardless of density, but was subsequently amended by restricting the application to so-called high-density cotton in bales compressed to 32 lbs. or more per cubic foot. The cotton involves that grown near Bakersfield, Cal., processed near the point of growth and forwarded to Los Angeles Harbor for reshipment by vessel.

Evidence adduced at the rehearing by representatives of the company intimated that "disturbed world conditions had disrupted the export cotton market and had seriously depressed market prices." This situation, witnesses for the company claimed, would result in abnormal storage requirements in connection with the marketing of the 1940-41 crop. Testimony was also presented claiming that at least 70 per cent of cotton so stored would be handled under loans from the Commodity Credit Corp.

The terms of the loans, the C.R.C. was told, would require storage of the cotton by public utility warehousemen who demonstrate their financial responsibility to the Commodity Credit Corp. and show that their warehouses meet the standards of construction specified by the C.C.C. The basic rates which would be used for determining the loans, it was testified, would be higher at seaboard than at interior points.

Testimony was also presented to show that loss would be incurred if no adequate public storage facilities are made available at Los Angeles Harbor because none are at hand in Bakersfield due to the lack of sufficient storage space, which has been occasioned by the abnormal amount of cotton already in storage, or about to be stored there.

Testimony given by T. H. Harvey of the San Joaquin Compress & Warehouse Co. indicated the company's Bakersfield warehouses are filled to capacity and that 75,000 to 80,000 bales of high-density cotton will be held as security by the Commodity Credit Corp., which would be offered to the company for storage in 1941.

"Because of the common ownership of the compress and the proposed warehouse business," the witness testified, "the classification and identity of each bale to be compressed would be maintained at Los Angeles Harbor without the growers incurring the added expense of loss of weight incident to the changing of warehouse collateral and to the drawing of additional samples which would result from storage of cotton by a public utility warehouse which had not furnished the compress services."

The original application (denied by Decision 33501 on Sept. 17, 1940) had been opposed by Charles G. Munson, secretary-treasurer of the Los Angeles Warehousemen's Assn., on the ground that sufficient warehouse space was available at the harbor in the buildings of the Harbor District Warehouse Co., Wilmington Transfer & Storage Co. and the Crescent Warehouse Co., Ltd. (see November, 1940, *DandW*, pages 50-53). It was also partially opposed by the Wilmington Transfer & Storage Co., whose officials insisted, at that time, that the San Joaquin Compress & Warehouse Co. be restricted to cotton storage in municipal warehouses Nos. 1 and 2 on berths 59 and 60 which the company had leased from the Los Angeles Harbor Dept.

In granting the amended permit, the C.R.C. stated the company had submitted sufficient evidence at the rehearing to demonstrate the necessity and public convenience of its application, but qualified it with the statement that "the need for such storage under normal conditions had not been shown."—Herr.

Bekins' San Diego Warehouse

Bekins Van & Storage Co. has awarded a contract in the amount of \$65,000 for the construction of a 5-story, Class A storage warehouse at 3719 El Cajon Blvd., San Diego, Cal.—Herr.

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Merchandise Storage—Custom Bonded—Pool Car Distribution

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1,400,000 Sq. Ft. More Space Allowed at San Francisco

The California Railroad Commission has granted San Francisco warehouses permission to increase existing space by 1,400,000 sq. ft., effective immediately, to enable them to accommodate the large quantities of strategic and critical war materials coming into the port or anticipated in the near future in connection with the National Defense program. The Commission granted temporary certificates to 4 warehouses on Jan. 3, authorizing them to increase their space to take care of the incoming raw materials. These certificates expire Dec. 31, 1941, or on cancellation by the Commission, and allow 400,000 sq. ft. of new storage space each to The Haslett Warehouse Co., Farnsworth & Ruggles Co., and Gibraltar Warehouse Co., all of which are permitted to enlarge their facilities for the accommodation of Government cotton and war materials. The San Francisco Warehouse Co. is permitted to add 200,000 sq. ft. of storage space for war materials, this company having been previously authorized to store the cotton.

The commodities for which this new space is being created are, in addition to the cotton, movement of which has now ceased, wool, crude rubber, hemp, tin, possibly some manganese.

The total movement of wool will be some 833,000 bales, according to Joseph F. Marias, San Francisco Harbour Commissioner, about 60 per cent of which is expected to be accommodated in San Francisco. "We have space to easily handle this amount," Marias says, "and, in fact, the entire 833,000 bales if need be. With the warehouse facilities we now have in the San Francisco Bay area, we can handle not only the wool, but all the strategic and critical war materials likely to be consigned to this port."

In December, 6,750 bales of hemp were unloaded and another 6,550 bales were expected, reported as being the balance of a Procurement Division purchase in British Malaya.

Crude drugs from India are also expected to require warehouse space shortly.

Persistent rumors that the Port of San Francisco is congested are emphatically denied by Marias who joins warehouse operators in saying that there is ample space available for defense and "normal" industrial needs in Northern California. Present policy of the Harbour Board is to provide first for the needs of industry. The Army and Navy, however, if emergency should arise, can confiscate the facilities they need. There is talk—still no more than rumor—of a project to study the possibilities of constructing 1,000,000 sq. ft. of warehouses along the San Francisco waterfront.

Members of the Committee on Port Facilities, a new group formed to meet present emergencies and headed by Marias, has recommended to Ralph Budd, co-ordinator of transportation for the National Defense Advisory Commission, the appointment of a local co-ordinator of dock facilities in San Francisco and Bay region to co-ordinate warehousing and transportation and also correlate the movements of commercial and Government commodities through the port. Mr. Budd has advised Marias that he has taken the recommendation under consideration.

Meanwhile, the Port Facilities Committee, consisting of leading representatives from the warehousing and distribution fields, is meeting at intervals for exchange and pooling of information to make for the smoother and more efficient handling of the movement and storage of goods and the handling of such problems as may arise. The latest meeting of the committee was on Jan. 7.—Gidlow.

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Established 53 years

**PETERSON
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Freight Car Loadings

Freight car loadings in the first quarter of 1941 are expected to be about 9.5 per cent above actual loadings in the same quarter in 1940, according to estimates just compiled by the thirteen Shippers' Advisory Boards and made public.

On the basis of those estimates, freight car loadings of the 29 principal commodities will be 5,572,106 cars in the first quarter of 1941, compared with 5,089,820 actual car loadings for the same commodities in the corresponding period in the preceding year. All of the 13 Shippers' Advisory Boards estimate an increase in carloadings for the first quarter of 1941 compared with the same period in 1940.

Tabulation below shows actual carloadings for each district in the first quarter of 1940, the estimated loadings for the first quarter of 1941, and the percentage of increase.

Shippers' Advisory Boards	Actual Loadings 1st Quar., 1940	Estimated Loadings 1st Quar., 1941	Per Cent Increase
New England	115,795	122,296	5.6
Atlantic States	556,834	615,237	10.5
Allegheny	794,785	939,318	18.2
Ohio Valley	670,159	685,572	2.3
Southeast	571,509	634,671	11.1
Great Lakes	350,215	390,099	11.4
Central Western	185,157	202,828	9.5
Mid-West	762,552	825,321	8.2
Northwest	154,526	160,776	4.0
Trans-Missouri-Kansas	255,653	269,335	5.4
Southwest	305,209	324,682	6.4
Pacific Coast	204,353	215,934	5.7
Pacific Northwest	162,973	186,037	14.2
Total	5,089,820	5,572,106	9.5

The 13 Shippers' Advisory Boards, expect an increase in the first quarter of 1941, compared with the same period one year ago, in the loading of all of the 29 commodities except 5. Among those showing the greatest increase are the following:

Iron and steel, 34.9 per cent; brick and clay products, 30 per cent; machinery and boilers, 27.9 per cent; gravel sand and stone, 22.9 per cent; lumber and forest products, 19.8 per cent; ore and concentrates, 16.4 per cent; chemicals and explosives, 16.2 per cent; automobiles, trucks and parts, 15.7 per cent; cement, 14.4 per cent; lime and plaster, 14 per cent; agricultural implements and vehicles other than automobiles, 13.4 per cent; paper, paper board and prepared roofing, 8.7 per cent; potatoes, 8.6 per cent; canned goods, 6.9 per cent; petroleum and petroleum products, 4.6 per cent; and coal and coke, 4.4 per cent.

The 5 commodities for which decreases are estimated and the percentage follow:

Citrus fruits, 6 per cent; cotton, 3.2 per cent; livestock, six tenths of one per cent; poultry and dairy products, four tenths of one per cent; and salt, two tenths of one per cent.

Actual loadings for the first quarter of 1940, estimated carloadings for the first quarter of 1941, and the percentage of increase or decrease for each of the 29 commodities included in the forecast of the 13 Shippers' Advisory Boards follow:

Commodity	Carloadings—		Estimated Per Cent	
	Actual	Estimated	Inc.	Dec.
Grain, all	1940	1941	%	%
Flour, meal and other mill products	182,449	183,843	.8	...
Hay, straw and alfalfa	194,575	197,131	1.3	...
Cotton	14,458	14,689	1.6	...
Cotton seed and products, except oil	47,356	45,844	...	3.2
Citrus fruits	14,760	14,798	0.3	...
Other fresh fruits	42,271	39,755	...	6.0
Potatoes	33,065	33,104	0.1	...
Other fresh vegetables	57,940	62,902	8.6	...
Live stock	62,077	62,116	0.1	...
Poultry and dairy products	140,197	139,401	...	0.6
Coal and coke	22,846	22,746	...	0.4
Ore and concentrates	1,959,581	2,046,487	4.4	...
Gravel, sand and stone	134,866	157,007	16.4	...
...	172,643	212,259	22.9	...

For the convenience of shippers, this section is arranged alphabetically by states, cities and firms.

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NORTH PIER TERMINAL

Largest warehouse in the Great Central Market territory.

Especially adapted for combination of office and warehouse or factory. • Splendid shipping facilities including all phases of transportation. • Rail, water, tunnel, truck. • Track capacity 150 cars. 2500 feet of dockage for boat unloading. • Direct water service from Eastern Seaboard, Gulf and Canada. • Direct tunnel connection all railroads. • Consolidated pick-up service for 120 highway truck lines. • Low insurance rates. • Heavy floor load. • Ample free parking. • Good local transportation. • Our general storage division operating in separate buildings with same facilities. • Storage in-transit, pool car distribution, customs bonded. • Write for monthly publication, it is free, no obligation to you.

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Shipments received and dispatched by water - rail or truck. Private track of Pennsylvania R. R. direct into Warehouse. In the heart of downtown Chicago.

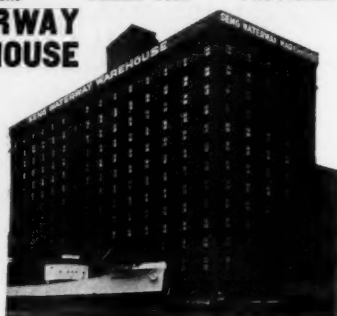
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Salt	26,137	26,095	...
Lumber and forest products	405,954	486,343	19.8
Petroleum and petroleum products	492,132	514,649	4.6
Sugar, syrup and molasses	36,172	37,028	2.4
Iron and steel	391,386	527,785	34.9
Machinery and boilers	27,491	35,161	27.9
Cement	73,220	83,788	14.4
Brick and clay products	42,713	55,531	30.0
Lime and plaster	30,522	34,792	14.0
Agric. implements and vehicles, other than automobiles	25,467	28,878	13.4
Automobiles, trucks and parts	201,920	233,634	15.7
Fertilizers, all kinds	93,768	96,847	3.3
Paper, paper bd. and prepared roofing	90,029	97,881	8.7
Chemicals and explosives	28,856	33,532	16.2
Canned goods—all canned food products (includes catsup, jams, jellies, olives, pickles, preserves, etc.)	44,969	48,080	6.9
Total	5,089,820	5,572,106	9.5

Seaway Plan Termed Needless

The contemplated St. Lawrence Seaway project will not aid this Nation in peace or in war, but instead will impose a heavy financial burden at a time when every emergency and resource will be needed for the furtherance of the national preparedness program, stated R. V. Fletcher of Washington, D. C., general counsel of the Association of American Railroads at last month's annual meeting of the Atlantic States Shippers' Advisory Board, held at the Hotel Biltmore, New York City.

Ninety per cent of its cost will fall on citizens who will be damaged rather than benefited by its construction and operation, Mr. Fletcher added. He estimated that the total cost would be about twice the amount claimed by the government engineers.

He pointed out that because of ice conditions on the Great Lakes and the St. Lawrence River from Dec. 1 to April 15, the seaway could not be used for ordinary practical commercial purposes for longer than 7 months in the year. It would be unusable commercially for 43 per cent of the year. Rail revenues, as a result of lower coal haulage, would drop at least \$20,000,000. Harbor improvements on the Great Lakes to handle the ships would amount to \$200,000,000; allowance for interest during construction would amount to \$70,000,000.

National-carloading estimates submitted at the meeting indicated that loadings of the 32 commodities covered would be 10.5 per cent higher in the first 3 months of 1941 than in the same period of 1940. The estimates for the 1941 period were 615,237 cars; this compares with 556,834 last year. Among the commodities, the heaviest percentage increase was predicted in the loadings of brick and clay products, amounting to 66 per cent; 40 per cent for automobiles and trucks; 61 per cent for iron and steel; 50 per cent for potatoes; 37 per cent for crushed stone, sand and gravel; 25 per cent for chemicals and explosives; and 23 per cent on electrical machinery and appliances. In all, 28 commodities were picked for increases; no change was expected on 3, and only one, namely fresh fruits, was chosen for a decrease with an expected drop of 10 per cent.

C. J. Goodyear, traffic manager of the Philadelphia and Reading Coal and Iron Co., Philadelphia, Pa., was elected general chairman for 1941. He succeeds George F. Hichborn, director of traffic of the U. S. Rubber Co. Other officers elected were: A. C. Welsh, transportation secretary of the Chamber of Commerce, Brooklyn, N. Y., as first alternate general chairman; C. H. Vayns, general traffic manager of Eastman Kodak Co., Rochester, N. Y., as 2nd alternate general chairman; and R. C. Huntington, secretary of Casey Jones, Inc., Baltimore, Md., as general secretary.

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Caution in Selling Goods for Storage Charges

The Mayflower Warehousemen's Assn. has warned its members about the Soldiers and Sailors Civil Relief Act of 1940, when preparing to sell goods for storage charges. The purpose of this Act is: "To promote and strengthen the national defense by suspending enforcement of certain civil liberties of certain persons serving in the military and naval establishments, including the coast guard."

Warehousemen are advised to consult attorneys on the effect of this Act before holding a sale. Section 200 of the Act reads as follows:

"Sec. 200. (1) In any action or proceeding commenced in any court, if there shall be a default of any appearance by the defendant, the plaintiff, before entering judgment shall file in the court an affidavit setting forth facts showing that the defendant is not in military service. If unable to file such affidavit plaintiff shall in lieu thereof file an affidavit setting forth either that the defendant is in the military service or that plaintiff is not able to determine whether or not defendant is in such service. If an affidavit is not filed showing that the defendant is not in the military service, no judgment shall be entered without first securing an order of court directing such entry, and no such order shall be made if the defendant is in such service until after a court shall have appointed an attorney to represent defendant and protect his interests, and the court shall on application make such appointment. Unless it appears that the defendant is not in such service the court may require, as a condition before judgment is entered, that the plaintiff file a bond approved by the court conditioned to indemnify the defendant, if in military service, against any loss or damage that he may suffer by reason of any judgment rendered the judgment be thereafter set aside in whole or in part. And the court may make such other and further order to enter such judgment as in its opinion may be necessary to protect the rights of the defendant under this Act.

"(2) Any person who shall make or use an affidavit required under this section, knowing it to be false, shall be guilty of a misdemeanor and shall be punishable by imprisonment not to exceed one year or by fine not to exceed \$5,000, or both.

"(3) In any action or proceeding in which a person in military service is a party if such party does not personally appear therein or is not represented by an authorized attorney the court may appoint an attorney to represent him; and in such case a like bond may be required and an order made to protect the rights of such person. But no attorney appointed under this Act to protect a person in military service shall have power to waive any right of the person for whom he is appointed or bind him by his acts.

"(4) If any judgment shall be rendered in any action or proceeding governed by this section against any person in military service during the period of such service or within thirty days thereafter and it appears that such person was prejudiced by reason of his military service in making his defense thereto, such judgment may, upon application, made by such person or his legal representative, not later than thirty days after the termination of such service, be opened by the court rendering the same and such defendant or his legal representative left in to defend; provided it is made to appear that the defendant has a meritorious or legal defense to the action or some part thereof. Vacating, setting aside, or reversing any judgment because of any of the provisions of this Act shall not impair any right or title acquired by the bona fide purchaser for value under such judgment."

Marketing Must Be Revised and Subordinated to Defense

Selling will not continue as usual under the rearmament program and marketing executives must in large measure lay aside certain ways of thinking and turn to the cultivation of other modes of approach, stated Dr. C. I. Gragg, assistant to the Coordinator of National Defense Purchases of the Advisory Commission to the Council of National Defense, Washington, D. C., in his speech before the American Marketing Assn., Dec. 27 in Chicago.

Dr. N. H. Engle, marketing consultant of the Consumer Division of the NDAC, in his talk "Adjustment of Wholesaling to 1941 Conditions," stated that the national income for the next few years will approximate 100 billion dollars, compared with 75 at present. One immediate adjustment needed, he also stated, is for the United States to buy more products from South America to enable it to buy more from this country.

Because food surpluses are piling up, wider distribution is needed, Dr. Engle stated, and in view of a possible shortage of transportation, both producers and wholesalers must carry larger inventories. While a

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sellers' market is in prospect, it will be dominated by the defense program. Manufacturers now selling direct will probably give consideration to utilization of wholesalers' services, Dr. Engle predicted. Wholesalers will have to look farther ahead in ordering supplies and larger inventories will prevail. He also advised greater use of motor trucks for l.c.l. shipments to country storekeepers and predicted that field warehouses will be widely used.

Dr. Gragg stated that business administrators must prepare for wider and deeper responsibilities than are ordinarily demanded of them by stockholders and directors. It is not the profit and loss statement which will be the chief criterion of managerial effectiveness in 1941, since efficiency no longer is to be judged primarily by competitive profit making with its emphasis on outstripping the other fellow in the race for market.

Instead, stated Dr. Gragg, business is going to be called upon to cooperate to the limit of its ability—cooperate with other business units, with government buying agencies and to integrate itself into a national effort which is to be measured in terms of sacrifice of goods produced on time and in the necessary quantities. Business must also look forward to a post-war emergency struggle such as had never before been known.

Adopts Rail Interplant Demurrage Credit Proposal

The Industrial Traffic Council of Chicago, through action of its executive committee, has voted to adopt a recent proposal of the American railroads covering "Interplant Demurrage Credits," which provides that "Credits earned on cars loaded or unloaded in interplant switching service shall not be used to effect delay accruing on cars handled in other services."

This rule is a substitute for one providing that "No free time shall be allowed for use of cars in intra-plant service. Demurrage shall be assessed for all of the time cars are thus withdrawn from transportation."

The original rule had been opposed by the Chicago Industrial Traffic Council and decision to accept the more recent proposal was based on the fact that the carriers would be forced to establish a new rule for their tariffs. The Council is of the opinion that the modified rule is less injurious to shippers.—*Stanton*

Seeks Delay in Jacksonville Dredging

The Commodore Point Terminal Corp., Jacksonville, Fla., has applied to the War Department in Washington for permission to extend the period granted it for dredging at its property from Dec. 31, 1940, to Dec. 31, 1943. The previous permit, issued Aug. 16, 1937, authorized the company to dredge to a depth of 28 feet at mean low water.—*Lord*.

W. Coast Strike Agreement

A long-standing steam schooner strike which has tied up coastwise shipping for 2 mos. was finally settled in early December with masters, mates and pilots voting to accept an agreement offered by ship owners. Sailors had already agreed to sign if the masters, mates and pilots would accept the contract, which runs for 2 yrs. with provision for reopening on request of either union at the end of one year.

Involved in the tie-up were 47 ships operated by the Shipowners' Assn. of the Pacific.—*Gidlow*.

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Mass. Pier Charges on Weight Basis

The Massachusetts State Dept. of Public Works has agreed to have the new wharfage charge at Commonwealth Pier, effective Jan. 15, assessed exclusively on a weight basis. The decision was made after hearing an appeal from the Boston Wool Trade Assn. and the Boston Tea Importers, supported by the Port Authority.

When the new rate was originally promulgated it was provided that cargoes might be assessed on a measurement basis (40 cu. ft. per ton, instead of 2,000 lbs. per ton) if they were handled that way on the ships which brought them.

The protesting organizations pointed out that this basis would mean some wool and tea would be charged 100 per cent more than other shipments of similar weight and quality.

Representatives of the Army Base and private terminals, who were invited to the meeting, expressed willingness to conform to the State standards as revised, although the railroad terminals, being required to give 10 days notice, could not make the change until Feb. 1.

Walter W. McCoubrey, Port Authority rate expert, who advocated the change, indicated that it was merely a minor readjustment in the flat rate wharfage scale, which went into effect, otherwise unchanged, in January. The new rate of 50 cents a ton, although it represents a 100 per cent increase at Commonwealth Pier, will be a boon to shippers because the private terminals whose rates have previously averaged even higher, have agreed to conform, providing uniform wharfage in the port for the first time in many years. —Wellington.

I.C.C. Releases Water Carrier Draft of Rules, Etc.

A tentative draft of rules and regulations covering the construction, filing and posting of freight tariffs by water carriers has been released by the Interstate Commerce Commission for the guidance of this branch of the carrier industry.

Regulation of water carriers came under supervision of the I.C.C. Jan. 1 1941, despite pressure exerted by inland water carriers to delay effectiveness of the act until April 1, 1941.

The term "tariff," according to the I.C.C. notification, means a publication stating the rates, charges and classification of a common carrier, and the rules and regulations which apply in connection therewith.

The term "towing" means the service of towing, pushing or otherwise propelling another vessel (loaded or empty), the property of another.

All tariffs filed must conform to these regulations, except as otherwise authorized by the Commission. They shall state and arrange the rates, charges, rules, and regulations clearly and explicitly in such manner that there will be no doubt of their proper application. Carriers or their agents may not publish class or commodity rates which duplicate or conflict with rates published by or for account of such carriers. Tariffs governed by the regulations must not contain: Joint water-rail rates; joint water-motor rates, joint water-rail-motor rates; or passenger fares.

The draft contains instructions and information on such subjects as "construction and filing," "indication of charges," "title pages," "contents," "changes in tariffs," "posting regulations," "powers of attorney and concurrences," "revocation notice," "application for special permission," and "letters of transmittal." —Hanning.

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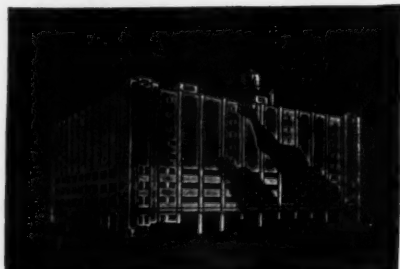
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thanks and appreciation from Traffic
Men everywhere, for carrying on this pro-
fessionalization program. It would be won-
derful to know that every Traffic Man
throughout the country has read all of
these writings."

Nation's Transport Ready to

Meet Increased Demands, Says Budd

The Nation's transportation facilities are ready to meet the increased demands expected to be made upon them in 1941 with the speed-up in defense production. Ralph Budd, Commissioner in charge of the Transportation Division of the National Defense Advisory Commission, has announced.

The problem has been one of coordinating rail, motor, water, and pipeline facilities during the past 6 months.

During the Summer Mr. Budd urged the Nation's railroads to reduce to 6 per cent the number of freight cars needing repairs as one means of reaching this goal.

In this connection he informed J. J. Pelley, president of the Association of American Railroads, that: "The continued rising trend of carloadings, as indicated by loading of 752,000 cars in the week ended June 29, 1941, accentuates, in my opinion, the need for full performance by all lines of the repairwork necessary to reduce cars in bad order to not more than 6 per cent, as we agreed. In 1939, you may recall, loadings did not reach present levels until mid-September."

"The Car Service Division report of cars awaiting repairs as of June 1, 1940, shows an increase slightly in excess of 10,000 cars in the number awaiting repairs comparing June 1 with Jan. 1 of this year. The June 15 figures indicate a reduction in the bad-order account compared with June 1 of 7,053 cars. Most of the reduction represents boxcars, there being only 505 bad open-top cars awaiting repairs on June 15 as compared with June 1."

"... There will undoubtedly be little difficulty involved in reducing to the 6 per cent level. ..."

"The railroads as a whole have much at stake in connection with handling of the increased traffic which it appears will be offered, and any failure to do those things which have been agreed upon as necessary may well have results which will be harmful to the industry."

"Undoubtedly you will think the subject of sufficient importance that you will wish to handle it with the railroads ... having more than 6 per cent bad order and obtain from them a commitment as to their plans. I will be very much interested in the results of your inquiry as you may make, and if I can assist in any way to the end that the desired performance may be had, I will be very glad to act on any suggestion you may wish to make."

Meanwhile, a coordinated warehousing program is being undertaken by the Division.

Under the program, existing warehouse space will be used first. Next, existing buildings suitable for warehouse purposes will be utilized. In emergencies where private facilities cannot be provided, the Government may have to undertake construction.

A survey of all existing warehouse facilities now available is being made.—Manning.

10-Day Loading Time at Port Newark

The free time allowance for loading export commodities at Port Newark, N. J., will be extended from 4 hrs. to 10 days, the effective date being Feb. 10. Approval for this extension has been given by the I.C.C. and the Trunk Line Assn.

New Rates on Silk from Japan

An announcement on steamship rates for raw silk gives the following new tariffs, effective Feb. 15: from Japan to Atlantic Coast ports, \$6.50 per 100 lbs.; from Japan to Pacific Coast ports, \$4.50 per 100 lbs.—Giddens.

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150,000 square feet, divided into storage space and offices and street level show rooms, with full-size, clear vision windows facing the busiest thoroughfare in Detroit.

Quick service on pool cars and prompt reshipment via our own trucks. 10-car siding and free switching from all railroads. Large enclosed dock for sorting speeds handling and delivery. Send for illustrated folder.

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Household Goods and Merchandise Storage
Moving—Packing—Shipping
Personal Service Guaranteed
Members—A.W.A.—N.F.W.A.—Allied Van Lines



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- It is possible here to secure the same high-grade service you would expect in your own branch warehouse, but at less expense and without worry or trouble.
- Saginaw is a distribution point for Northeastern Michigan. Every merchandise warehouse facility is available at Central-Warehouse Co.
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 Low Insurance Rate
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 Fireproof warehouses—Motor van service
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 Distribution Cars are so handled as to carefully safeguard your own interests and those of your customers.
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 "Kansas City's Finest Warehouses"
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Merchandise Warehouses, Inc.
 300,000 sq. ft.
 Trackage on three railroads
 Truck docks—Low Insurance
 ST. LOUIS AVE. & MULBERRY ST.

Waterways and Terminals

(Continued from page 24)

...will become necessary because under the War Department's plans all materials from the Middle West destined for the Canal Zone, Hawaii, Puerto Rico and the Philippines will be moved via New Orleans.

Under this plan it is anticipated that the New Orleans depot, which is an extremely large three-unit base, will store and load supplies for Army transports. Foods and other supplies from Mid-West territory will be assembled in the depot, moving either by barge or rail, and will be loaded out in transports which will use the Poland Street wharf. The plan became effective on Jan. 1.

Boston May Lose More Ship Lines

The possibility that the Port of Boston might lose the services of 2 more steamship lines was seen at a meeting at the Chamber of Commerce recently, called to discuss increased wharfage rates. In the past few months 4 lines have discontinued service between Boston and southern ports.

The rates under discussion were scheduled to become effective Jan. 15 and would double the charges at Commonwealth Pier in South Boston. The rates at all piers would be 50 cents a ton instead of the varying rates now in effect. Shippers said, however, that the rates still would not be uniform because cargo moved by rail to and from piers is charged wharfage rates at Commonwealth Pier, but not at other piers.

John N. Levin, Boston agent for the American-Hawaiian Steamship Co., which serves Pacific Coast ports, said that if the new rates were put into effect "it is possible the company will withdraw from Boston" and fill ships at other ports where no such charges are made.

John T. Sasso, representing the Luckenbach Line, said he agreed with Levin. The Luckenbach Line also serves Pacific Coast ports.

The companies which already have discontinued service to and from Boston are the Mormac-Gulf Line, the Lykes Coastwise Line, the Morgan Line of the Southern Pacific Lines and the Clyde-Mallory Line.

Higher Rates for Gulf Ships. Joint Rail-Water Tariff Seen

Higher rates for both rail and water lines serving Gulf ports as well as an increase in joint rail-water rates, were predicted by J. Russell Wait, director of the Port of Houston, recently.

Mr. Wait's statement came shortly after the close of a joint informal conference before the Maritime Commission and the I.C.C., called to consider the question of reaching a solution which will permit continuance of service by water carriers to and from Gulf ports.

The continued withdrawal of the steamship lines operating in service to and from the Gulf ports because of alleged lack of revenue, which in turn renders them incapable of competing with the rail lines, has created a situation which it is believed calls for immediate Government action. It is pointed out in many quarters that the transportation needs of the country as a result of the national defense program will make complete cooperation between all forms of transportation almost mandatory.

The conference, an "executive session," was presided over by the Maritime Commission's Commissioner Thomas M. Woodward and the Interstate Commerce Commission's Chairman Joseph B. Eastman. Representatives of both rail and water carriers, as well as direc-

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POOL CAR TERMINAL—Spacious, enclosed, sheltered loading Dock, facing wide Street in Wholesale and Shipping District on B&O-Alton Railroad siding.

MERCHANDISE STORAGE — GENERAL CARTAGE

Sprinklered—A.D.T. — Fleet modern Equipment

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Pool Car Distribution**

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"Right in the Midst of Business"

Most modern warehouse in Kansas City with excellent facilities for efficient service.

Ordering to national accounts.

MEMBER: A.W.A., A.W.I., M.W.A., K.C.W.A.

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commerce that is as beneficial to
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tors of port authorities and port interests, were also present.

It is understood that when the ship lines serving Texas ports get into difficulties, Mr. Wait contacted the Maritime Commission pointing out the loss of business not only to the ship lines themselves but to port interests involved. The Commission in turn called a general discussion and at the same time included Joseph Eastman, who "understood the railroad angle."

According to Mr. Wait, from the standpoint of the port interests, it is imperative that rail and water rates be stabilized in an effort to continue the steamship service to the various Gulf ports. Many of the steamship lines, the Houston port officials stated, have been operating at a loss for the past several years.

It is believed that one of the important questions to be solved in view of Examiner Furniss' recent decision in the Agwilines embargo case, is whether or not an "emergency" exists which would enable steamship lines to proclaim an embargo as a method by which they could withdraw from a service.

Another bone of contention, according to authoritative sources, centers around the question of labor. Steamship men contend that freight car loaders receive a much lower wage than stevedores, and that this is one of the factors which is making it impossible for the water carriers to operate at a profit.

Steamship lines represented at the recent informal conference included: Clyde Mallory, Morgan Line, Pan Atlantic S/S Co., Southern Pacific S/S Co., Bull S/S Line and Eastern S/S Co., Lykes Coastwise Line, Seaboard Lines and Newtex Line.

New Seattle Pier Open

The rebuilt and converted Seattle waterfront terminal, Pier 1, is now in full operation, having opened at the turn of the year, it was advised in the Northwest press. The Alaska S. S. Co. has taken over this pier in addition to Pier 2 and will operate both terminals. Offices of the general manager, traffic and operating departments have been moved from Pier 2 to Pier 1. Southeastern and Southwestern Alaska passenger ships will sail from Pier 1, while Bering Sea passenger ships and all freighters will use Pier 2.

H. W. Warley Now President Calmar Line

H. W. Warley, vice-president and general manager of the Calmar Steamship Corp. and the Ore Steamship Corp., affiliates of the Bethlehem Steel Corp., was elected president of the Calmar Line at a meeting of the board of directors, effective Jan. 1.

The directors also elected E. J. Karr, formerly traffic manager of Calmar, a vice-president. Other appointments in the Calmar Line were H. Denzel, vice-president and auditor; W. H. E. Usher, vice-president; M. D. Kreidler, secretary and treasurer, and C. J. Rashleigh, assistant secretary and assistant treasurer.

All of the officers will continue to use the company's offices at 25 Broadway, New York, as headquarters, except Mr. Usher, who will be in charge of Pacific Coast operations with an office in the Matson Bldg. in San Francisco.

Peace on Waterfront of San Francisco

San Francisco's frequently embattled waterfront is more peaceful now than it has been for a long time and peace between management and labor is expected to continue, following the settlement some months ago of the protracted steam schooners' strike, and the recent signing of a 2-yr. contract between the CIO longshoremen and the Waterfront Employers' Assn., after very lengthy negotiations and frequent threats of conflict.

The only cloud on the labor horizon at present is a
(Continued on page 69)

HASTINGS, NEBR.



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Storage & Transfer Co., Inc.
Pool Car Distribution
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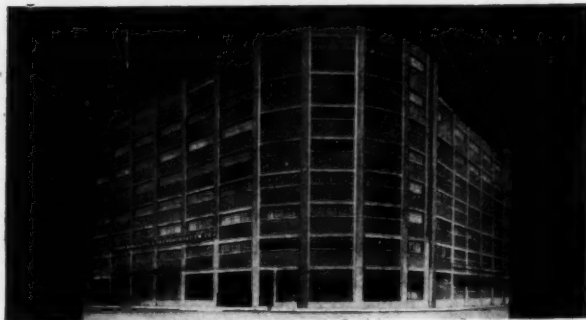
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250,000 square feet reinforced concrete and steel construction. Floor load 250 lbs.

Sprinkler system A.D.T. Watchman. Insurance rate 7.2¢. Private siding

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40 cars. Motor truck platform capacity 20 trucks.

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Fireproof Warehouses

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"First Moving Vans in America"

Modern Depository for the Storage of
Household Goods

Waterways and Terminals

(Continued from page 66)

strike involving Montgomery Ward & Co.'s retail stores and warehouses, following a refusal of the company to meet demands of the AFL for contracts, arbitration, wage increases and seniority rights.

San Francisco's City Hall is once again renewing its fight for control of the Harbour, now under the jurisdiction of the State, as the California Legislature opens for its biennial session this month. A bill has been introduced to give San Francisco Harbor into control of the city, thus causing a big headache to shipping men who favor State control. Failing that, if they were forced to make a new choice, shipping interests here are said to lean toward the third alternative proposed some years ago by H. F. Grady, i. e.: autonomous control of San Francisco Bay ports by an independent board. Argument for this type of autonomous control is, that the San Francisco-East Bay area (including San Francisco, Oakland, Berkeley, Richmond, Alameda) is a metropolitan unit and could be well handled under the unified port district control plan, with a board of experts to control rates, co-ordinate the movement of cargoes, determine degree of expansion of facilities, and so on. Steamship carriers are generally regarded as preferring such a set-up to control of the port by San Francisco's City Hall, although none has as yet made any public statement on the subject. If the fight for local control becomes serious, it is expected that the whole matter will be brought out into the open.

Possibly in anticipation of such a fight, the San Francisco Chamber of Commerce has appointed a committee to look thoroughly into the advantages and disadvantages of all three possibilities: 1. The present control by the State; 2. Control by the City of San Francisco; 3. Port District Control that would take in all the facilities of San Francisco Bay under one autonomous set-up. Agreeing to serve on this committee are: B. J. Feigenbaum, chairman; Arthur B. Poole, of the American President Lines; Wilson Meyer, of the importing house of Wilson and George Meyer & Co.; Edward V. Mills; Charles Page. Wm. L. Montgomery, of the foreign department of the San Francisco Chamber of Commerce, is staff secretary.

Arguments of those favoring City control are: That San Francisco Harbor should be put on a basis of equality with Oakland, Stockton, Los Angeles, Long Beach, and San Diego, all of which control their own port facilities; that present State Control is wrecking the port; that the port is losing money and in order to put itself out of the red, the State Harbor Commission is threatening increased pier rentals and other increases of charges; and that these higher rates will further drive business away from San Francisco Harbor to other Pacific Coast ports. City administrators are reported to be split on the advisability of waging a fight now for control of the Harbour; but the bill is going to the Legislature.

Joseph F. Marias, Port Commissioner, has no comment to make. In shipping circles it is regarded as improbable that the City will win control. Shipping men are said to favor an objective study of the entire much-discussed San Francisco Harbor problem. Very likely the new committee set up by the Chamber of Commerce will effect this aim.—Gidlow.

Lakes Operators to Augment Fleets

With a record season looming for this year, operators of the major Great Lakes vessel companies are making efforts to augment their fleets through the purchase of freighters from independent companies. However, the smaller companies are inclined to hang on to their ships, and it is doubtful whether many, if any, vessel sales

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will be accomplished before the start of the 1941 season, observers say.

Cleveland-Cliffs is in the market for 2 ore carriers and other companies also are known to have put on "feelers." From officials of a large shipbuilding company it is learned that Pittsburgh Steamship Co. is expected to place orders for the construction of 5 new freighters. Earlier, it had been reported that this company, subsidiary of United States Steel and the largest operator on the lakes, intended to build 3 new vessels.

Pittsburgh Steamship had 77 freighters and barges at the close of the 1940 season, but since then has sold 4 barges and 3 vessels. Construction of even 3 new freighters, however, would give the company a greater trip-carrying capacity than it had in 1940, as all of the vessels sold were of medium size.

N. Y. Free Lighterage
Upheld by Examiner

Examiner Burton Fuller on Jan. 15 disapproved the proposal of the State of New Jersey and Jersey City that free lighterage by carriers for the New York side of the harbor be eliminated, or if not done, that rates to shippers using the New Jersey side of the harbor be lowered. This was the 3rd attempt to bring about what is termed equalization of rates, but what opponents described as a move to give New Jersey an advantage over New York. Business interests in New Jersey were not unanimous in favoring the abolition of lighterage and the New Jersey State Chamber of Commerce, for one, placed testimony before the L.C. to prove that the proposed change in the rate system would be detrimental to the State.

In his report, the examiner recommended that the I. C. C. reject complaints that rail rates and practices favor the New York side of New York Harbor, and also stated that the present equalization of both sides of the harbor, with its free lighterage, has been in effect for many years and "it must be assumed that the present port differentials were made in contemplation thereof." He added that any disturbance of the parity now would restore the chaotic situation which existed prior to the fixing of the general rate structure for North Atlantic ports in 1882.

Examiner Burton, however, recommended that extra towage charges of \$29.70, \$49.50 and \$66 a lighter applicable on waterborne traffic to and from Elizabeth port, Carteret and Port Newark, N. J., be lifted or rebated through rate reductions.

Raw Silk to Chicago
Rate Extended

The freight traffic managers committee of the transcontinental railroads at its quarterly meeting in Chicago last month, approved the proposal for extending the Pacific Coast-Chicago rate of \$2 per 100 lb. of raw silk from July 3, 1941, to Jan. 3, 1942. The \$2 rate applies on freight train handling of 30,000-lb. carloads.

\$1 Increase in Lumber
Rates Sought

The Intercoastal Steamship Freight Assn., New York is seeking from the Maritime Commission a new schedule of Eastbound rates that call for increases on lumber, wood pulp and shingles moving from Pacific to Atlantic Coast ports. The new rates would become effective March 1.

The present lumber rate of \$16 per 1000 board feet would be increased to \$17; wood pulp from 40 to 42½ cents per 100 lbs.; and shingles from 80 to 82½ cents per 100 lbs.

It is claimed in justification of these increases that

(Continued on page 73)

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Fireproof Warehouses

Modern Equipment

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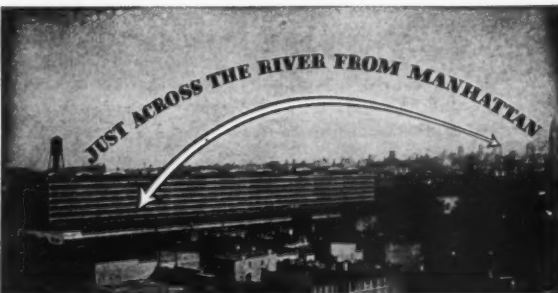
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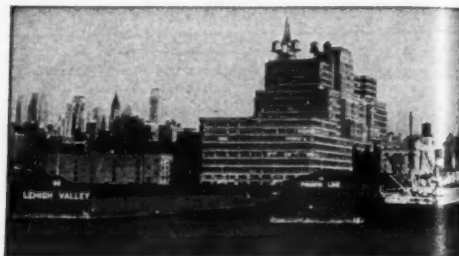
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Waterways and Terminals

(Continued from page 70)

A number of lumber carriers not subject to the association's control have been obtaining from \$20 to \$22 per 1000 ft. for lumber moving from British Columbia ports to the Atlantic Coast.

Several small vessels in the intercoastal trade of the United States are claimed to be getting from \$17 to \$19.50 for lumber shipped from the Pacific to the Atlantic Coast.

Water Carrier Permit Forms to Be Issued

A concerted effort is being made at Washington, D. C., to issue soon the application forms for common and contract water carriers that will be subject to the I.C.C. under the 1940 Transportation Act, covering requests for certificates or permits of public convenience and necessity. This has been the principal job of the new bureau under George E. Talmadge.

Water Carriers Protected on Sulphate of Alumina Rate

The I.C.C., according to the *Chicago Journal of Commerce*, has ordered suspension of an all-rail rate of 33 cents per 100 lb. on sulphate of alumina, carload minimum 40,000 lb., from Marrero, La., to Beaumont, Tex., which was to have become effective Jan. 15. The suspension was requested by the Red River Barge Line, which in its petition invoked the Congressional mandate on the Commission to protect water lines as provided in the 1940 Transportation Act.

It was contended by R. A. Stiegler, traffic counsel of New Orleans, and representing the Red River Barge Line, that the reduced rail rate had for its purpose the handling of alumina shipments which the barge line has been handling.

The proceedings which have been assigned No. I. & S. 4864, will be one of the first tests before the Commission involving the question of rate relationship between competitive forms of transportation. Examiner Konigsberg has been ordered to begin hearings on the suspension proceedings Feb. 14 at the Jung Hotel, New Orleans.

Army Demands Oakland, Cal., Outer Harbor Port Facilities

A \$20,000,000 quartermaster supply depot, to be located on the Oakland side of San Francisco Bay, is planned by Army officials and representatives of the War Department. Fort Mason, present army port of embarkation and general depot for the Pacific area, is restricted in size, has a small waterfront and warehousing facilities, and even in normal times proved inadequate. The recently inaugurated preparedness program, with full speed ahead the order, calls for more and greater facilities than Fort Mason affords.

In a careful survey of all possible locations, based on the time element, a controlling factor, the Oakland outer harbor was clearly indicated as the most desirable place for an establishment of this magnitude which must supply 9 Western States, Alaska, Hawaii, the Philippine Islands and a part of the Canal Zone.

Early in November the army asked the Oakland Port Commission for a lease on the site which included more than 50 per cent of the outer harbor waterfront and a large percentage of the port's present wharves, transit sheds and warehouses. After due consideration the commission refused this request. On December 17th, Colonel Raymond S. Pratt, acting commanding officer

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of the San Francisco port of embarkation, notified the commission that the army considered the site "vital to national defense," and that he was authorized by Washington to purchase same.

Oakland, even more than other seaports, takes great pride in its municipally-operated port. It is a jealousy based on years of litigation, court battles and individual physical encounters; a struggle handed down from father to son which had its inception soon after the town was founded; soon after smooth politicians—and there were such even at that early day—had fully secured control, ownership in fact, of the town waterfront. For half a century and more the community fought to regain ownership of its port. Success finally crowned their efforts and to part with the fruit of victory so soon, the commission, at the risk of seeming unpatriotic, did not consent to sell.

"We would much prefer to arrange for the purchase of the site," announced Colonel Pratt, "but feel we have no trouble acquiring it by condemnation in view of the present emergency."

J. J. McElroy, commission president, admitted that he was painfully aware of the truth of Colonel Pratt's statement and that under eminent domain proceeding the army could obtain immediate possession of port facilities pending final settlement in a long drawn court dispute.

The army's offer to purchase includes certain facilities, 16,000 lineal feet of berthing space and 200,000 square feet of open wharf. Acquiring this, the army plans to build 2,000,000 additional feet of warehouse space and covered areas and berthing space for 17,000 ships at a cost of \$17,000,000 to \$20,000,000.—Bureau

**Honolulu Congestion Forces
Matson Reroutings**

Docks at Honolulu are so congested with National Defense materials that the resultant delays in discharging freighters has made it necessary for the Matson Navigation Line to reroute its schedule of departures for cargo carriers from Los Angeles Harbor. C. S. Booth, manager of the Los Angeles freight office of the line has announced.

Accordingly, Mr. Booth disclosed, sailings of the Maunukai, Maunalei, Maunawili and Maunulani, scheduled to sail between Jan. 2 and Jan. 15, were cancelled. Substituted were the Makua, Malama, and Manana, which sailed, respectively, Jan. 4, 13 and 24 with full capacity cargoes on direct sailings.

Booth attributed the huge volume of tonnage and the congestion at Honolulu to National Defense construction, housing and supplies for added military bases in Pacific islands. Since June, 1940, he declared, Matson vessels have discharged 461,000 tons of general cargo at Honolulu, including 11,000,000 lbs. of refrigerated cargo and more than in any previous 7 mos. period.—Herr.

Cargo Record

About 3,500,000 tons of cargo will have moved through the Chesapeake & Delaware Canal during 1940, according to estimates. This is an increase of about 15 per cent over last year and is the all-time high mark. The Export & Import Bureau of the Baltimore Association of Commerce says that in addition to shallow-draft vessels, the canal is being used by an increasing number of long ships. A recent overseas vessel transiting the canal exceeded 460 ft. between perpendiculars, the record to date, while 35 vessels of more than 400 ft. used the waterway during October.

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Two Private Docks Capable of Serving Any Size Boat on the Lakes.
Both Inland and Dock-Side Warehouses.

TOLEDO, OHIO

"QUICK SHIPPERS"

TOLEDO TERMINAL WAREHOUSE, INC.

128-138 VANCE STREET, TOLEDO, OHIO

Merchandise storage . . . Pool car distribution . . .
Fireproof . . . Private siding Nickel Plate Road
... Free switching . . . Negotiable receipts . . . Tran-
sit storage arrangements . . .
Motor truck service . . . Located in Jobbing District . . .
U. S. Customs Bonded.



MEMBERS: American Warehousemen's
Association
Ohio Warehousemen's Asso-
ciation
Toledo Chamber of Commerce



Represented by
NEW YORK ALLIED DISTRIBUTION INC. CHICAGO
11 WEST 42ND ST. PHEN. 4-0008 1525 NEWBERRY AVE. MON. 5531

OKLAHOMA CITY, OKLA.

Established 1889

O. K. TRANSFER & STORAGE CO.



GENERAL WAREHOUSING AND DISTRIBUTION

OKLAHOMA CITY, OKLA.



Fireproof Warehouse for Mer-
chandise and Household Goods
Automatic Sprinkler System
Offices and Warehouse
383-315 East Grand Avenue

We Solicit Your Accounts for
Transfer and Storage
Members of American
and National Warehousemen's
Associations

TULSA, OKLA.

JOE HODGES FIREPROOF WAREHOUSE

Merchandise Storage—Pool Car Distribution

Located in Center of Tulsa Wholesale District

Member: A.W.A., N.F.W.A. and American Chain of Warehouses

PORTLAND, ORE.

Colonial Warehouse and Transfer Co.

Operating Public and Custom Bonded Warehouses
Licensed under the U. S. Warehouse Act
Merchandise, Storage and Distribution
Private Siding Free Switching Sprinklered
1132 N. W. GLISAN STREET



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H. M. CLARK, Pres.

HOLMAN TRANSFER COMPANY
STORAGE DISTRIBUTION

SINCE 1864

1306 N.W. Hoyt St.

A.W.A.—O.S.W.A.

PORTLAND, ORE.



J. H. CUMMINGS, Pres.
MERCHANDISE, STORAGE &
WAREHOUSING

Northwestern Transfer Co.
General Forwarding Agents

SPECIAL ATTENTION GIVEN TO POOL CARS
Our private siding is served by all railroads
1504 N.W. Johnson St., Portland, Oregon
Established 1888

Long Trek by
Cotter Trucks

An elaborate traveling display of products now being
manufactured in large volume by the Goodyear Tire
& Rubber Co. will end a nationwide visit to important
cities on Feb. 15. Four trucks, owned by the Cotter City
View Storage Co., Akron, Ohio, are carrying the dis-
play material which includes gas masks, tanks for
crawler-type combat tanks, bullet-proof fuel tanks for
fighting planes, and many other war products. The trip
started Dec. 15.

The 4 Cotter trucks had scheduled stops at Akron,
Chicago, Boston, New York, Atlanta, St. Louis, Dallas,
Los Angeles, Washington, D. C., and thence back to
Akron. W. Lee Cotter, president of the Cotter City
View Storage Co., has more or less been in charge of
setting up the displays at the various hotels, the work
involving the help of 15 men, secured locally, and about
7 hrs. of time.

Lines Have a Busy Season
On Great Lakes

A survey by the Canadian Press shows a general
movement of smaller vessels to the South and East,
and where they discharge their cargoes they will be
tied up for the Winter.

Although official tonnage figures will not be avail-
able until Spring, estimates indicate one of the busiest
years in Great Lakes history. At Windsor, Ont., navi-
gation experts said the movement of vessels between
the upper and lower lakes was not far behind the 1929
banner year. More than 20,000 ships passed through
the Detroit River during the season.

Armament production in Canada and the United

PORTLAND, ORE.

OREGON TRANSFER COMPANY

Established 1868
1238 Northwest Glisan Street Portland, Oregon
U. S. BONDED and PUBLIC WAREHOUSES
Merchandise Storage and Distribution
Lowest Insurance Rates—Sprinkler Equipped
Member A. W. A.
Eastern Representatives Distribution Service, Inc.

PORTLAND, ORE.

COVER THE NORTHWEST
THROUGH

RUDIE WILHELM WHSE. CO., INC.

U. S. Bonded—Concrete Building—A. D. T. Sprinkler System
Complete Facilities for Storage and Distribution
of All Commodities

Free Switching from All Railroads Portland's Lowest Insurance Rates
New York, 271 Madison Ave. Member A.W.A.

BETHLEHEM, PA.

500,000 CU. FT. COLD STORAGE
200,000 SQ. FT. DRY & HOUSE-
HOLD STORAGE



ALLENTOWN
BETHLEHEM
AND EASTON
Private Siding
LEHIGH & NEW
ENGLAND R. R.

Lehigh and New England Terminal Warehouse Company

15th Avenue, North of Broad Street, Bethlehem, Pa.

HARRISBURG, PA.

HARRISBURG STORAGE CO.,
Harrisburg, Pa.

Pool Cars
Efficiently
Handled
Merchandise
and
Household
Goods Storage

MEMBER

WAREHOUSEMEN'S
ASSOCIATION



P. R. R. Siding Agent for Aero Mayflower
Transit Co., American Warehousemen's Associa-
tion, Mayflower Warehousemen's Association,
Penns. Furniture Warehousemen's Association,
Penns. Warehousemen's Association, American
Chain of Warehouses

HARRISBURG, PA.

KEYSTONE WAREHOUSE

GENERAL MERCHANDISE STORAGE
POOL CARS DISTRIBUTED
BRICK BUILDING—LOW INSURANCE
STORE DOOR DELIVERY ARRANGED FOR
PENNA. R. R. SIDING

OPERATED BY HARRISBURG WAREHOUSE CO.

HAZLETON, PA.

EST. 1915
KARN'S STORAGE, INC.

MERCHANDISE WAREHOUSE L.V.R.R. SIDING
Storage in Transit Pool Car Distribution
Packing — Shipping — Hauling
Fireproof Furniture Storage
Members: Mayflower W.A.—P.F.W.A.—P.W.A.

MEMBER

WAREHOUSEMEN'S
ASSOCIATION

LANCASTER, PA.

LANCASTER STORAGE CO.

LANCASTER, PA.

Merchandise Storage, Household Goods, Transferring,
Forwarding,
Manufacturers' Distributors, Carload Distribution, Local
and Long Distance Moving
Members May. W.A.—P.F.W.A.

PHILADELPHIA, PA.

Est. over 50 years.

Pool Car Distribution a Specialty

FENTON STORAGE CO.

Absolutely Fireproof 46th and Girard Ave.

Cable Address "Fenco"

P. R.R. Siding

Storage, moving and distribution of household goods and merchandise

States accounted for much of the season's activity, as ore and coal were transported in unusual quantities.

At Sault Ste. Marie, officials estimated the traffic during the season was 50 per cent higher than in 1939, although curtailment of grain shipments was seen as a factor which kept the volume lower than it might have been.

At Owen Sound, Ont., more than 3,000,000 bu. of grain were handled. Of the total, 1,500,000 bu. were American grain, principally corn. Total vessels reported at the port during the season was 256, as against 254 in 1939.

The Welland Canal experienced an increase of 1,000,000 tons of shipping above the 1939 figure. Officials said final figures likely would show increases in the amounts of iron ore, other ores, coal and steel carried through the canal.

At Hamilton, Ont., the demands of war industries put the harbor tonnage figures far above the 1939 level, and the figures likely will set an all-time record, according to port officials. Total tonnage at the end of October was 2,504,619.

General improvement was shown at both ends of the Great Lakes system. At Port Arthur, Ont., a 20 per cent increase in tonnage handled by package freighters was noted, and the season was the best since 1928.

Egg Holdings Heavier

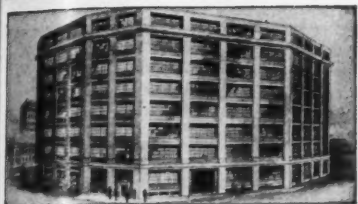
On Jan. 1, stocks of shell eggs in storage were 86,000 cases heavier than on the corresponding date a year ago; there were 618,000 cases in coolers as compared with 532,000 cases on Jan. 1, 1940. The 5-yr. average is 656,000 cases. December holdings totaled 1,969,000 cases.

Frozen egg holdings totaled 72,756,000 lbs. on Jan. 1, as against 72,279,000 lbs. a year ago, and a 5-yr. average of 73,155,000 lbs. December 1 stocks were reported at 91,273,000 lbs.

Stocks of creamery butter on Jan. 1 totaled 41,590,000 lbs., a decrease of 13,872,000 lbs. as compared with the corresponding date a year ago when there were 55,462,000 lbs. in storage. The 5-yr. average is 65,707,000 lbs. Eight thousand pounds of packing stock butter are in the coolers as compared with 18,000 lbs. a year ago and a 5-yr. average of 199,000 lbs.

Holdings of American cheese on Jan. 1 were 111,953,000 lbs., an increase over holdings on the same date a year ago, when 86,805,000 lbs. were stored. The 5-yr. average is 92,116,000 lbs. Swiss cheese, including block, totaled 5,030,000 lbs., as compared with 6,051,000 lbs. a year ago. The 5-yr. average is 5,310,000 lbs.

Total holdings of all classes of poultry on Jan. 1 were 208,234,000 lbs., compared with 167,643,000 lbs. on Jan. 1 a year ago, and a 5-yr. average of 145,105,000 lbs. On Dec. 1, 1940, there were 159,110,000 lbs. of poultry in the coolers.



GOLDEN JUBILEE

1891 1941

Warehousing Services That Are Unsurpassed in the East

IN the Terminal Warehouse group there are 13 warehouses, with more than 68 acres of storage space.

Each warehouse is of modern construction, equipped with every convenience for the safe, prompt and economical handling of goods of every kind, and all earn low insurance rates. Special provision is made for the storage of household goods.

Buildings are located in the main business and river-front areas of Philadelphia, have direct rail connections with the Pennsylvania Railroad and Reading Company, and are near the big piers. Completely equipped pool car department is maintained.

Write for Further Particulars

TERMINAL WAREHOUSE COMPANY DELAWARE AVE. AND FAIRMOUNT, PHILADELPHIA

MEMBERS: A. W. A., N. F. W. A., Pa. F. W. A.

Represented by **DISTRIBUTION SERVICE, Inc.**

100 Broad St., NEW YORK CITY 219 E. North Water St., CHICAGO 625 Third St., SAN FRANCISCO
Phone: Bowling Green 9-0986 Phone: Sup. 7180 Phone: Sutter 3461

An Association of Good Warehouses Located at Strategic Distribution Centers



Motor Truck Service

Our large fleet of modern motor trucks make "store door" deliveries throughout the Philadelphia trading zone, and can provide "next morning" deliveries anywhere within the section shown on map above.

PHILADELPHIA, PA.

Fidelity—20th Century Storage Warehouses

General Offices—1811 Market St.

Agent for Allied Van Lines, Inc.



Bus type vans for speedy delivery anywhere. We distribute pool cars of household goods. Prompt remittance.

Assoc. A. W. A., N. F. W. A., Can. S. & T., P. F. W. A.

PHILADELPHIA, PA.

**Greetings to
AMERICAN WAREHOUSEMEN'S ASSOCIATION
on its**

GOLDEN JUBILEE

1891 1941

**From this 69-year-
old Company...**

Chartered April 13, 1872

Write for Full Particulars

PENNSYLVANIA WAREHOUSING & SAFE DEPOSIT CO.

General Offices, Cor. 4th & Chestnut Sts., Phila.
WARREN T. JUSTICE, President

MEMBER: American Chain of Warehouses • American Warehousemen's Association (Merchandise Div.) • Pennsylvania Warehousemen's Association

NEW YORK: Geo. W. Perkins, 82 Beaver St., Tel. Hanover 2-1954 • J. W. Terreforte, 250 Park Ave., Tel. Plaza 3-1235

CHICAGO: W. J. Marshall, 53 W. Jackson Blvd., Tel. Harrison 1496

PHILADELPHIA, PA.

Established 1865

GALLAGHER'S WAREHOUSES

708 South Delaware Avenue

Merchandise Storage Storage in Transit
Direct Sidings-Penna. RR. and Reading RR.
Pool Car Distribution

Represented by Associated Warehouses, Inc.
New York Deliveries Chicago
59 Vanderbilt Ave. City and Suburban 230 Canal St.
Murrayhill 9-7645 Franklin 6243

PHILADELPHIA, PA.

2,100,000 Square Feet

MERCHANTS WAREHOUSE CO.

10 Chestnut St. Phone: LOM. 8070

11 modern buildings in leading business sections. Served by all R.R.'s. Loading and unloading under cover. Storage-in-transit privileges. Goods of all kinds, bonded and free.

One of THE CHAIN OF TIDEWATER TERMINALS and Inland Warehouses

PHILADELPHIA, PA.

BUELL G. MILLER, President

MILLER

North Broad Storage Co.

BROAD & LEHIGH & BRANCHES
Member P.M.T.A., C.F.M.A. of Pa.

For the convenience of shippers, this section is arranged alphabetically by states, cities and firms.

PITTSBURGH, PA.


W. J. Dillner TRANSFER & STORAGE CO.

STORAGE, PACKING, CRATING and SHIPPING
POOL CAR DISTRIBUTION
LONG DISTANCE HAULING

2748 West Liberty Ave., Pittsburgh, Pa.

Members of N.F.W.A.—A.T.A.—P.F.W.A.—P.M.T.A.
Agent for Allied Van Lines, Inc.



PITTSBURGH, PA.

DUQUESNE WAREHOUSE CO.

Office: Duquesne Way and Barbeau St.
Merchandise Storage & Distribution

Members A. W. A.

PITTSBURGH, PA.

Established 1911

EXHIBITORS' SERVICE COMPANY

West Gen. Robinson & Scotland Street

Pool Car Distribution—Reconsigning, 24 Hour Service—
Trackage 40 Cars—Daily Service area—20,000 Sq. Miles—94
Company Owned Vehicles—Steel and Concrete Terminal
Cooling Room Space for Perishables.

PITTSBURGH, PA.

Members: P.W.A.—Pittsburgh W.A.—P.M.T.A.

THOMAS WHITE — Owner and Manager

TWO WAREHOUSES

17th AND PIKE STS. } A Quarter
13th AND PIKE STS. } Million
Sq. Ft. of Space
(Fully Sprinklered)

*in the Heart of
Pittsburgh's Jobbing District*

COMPLETE TRUCKING FACILITIES

POOL CAR DISTRIBUTION

P.R.R. SIDINGS

STORAGE-IN-TRANSIT PRIVILEGES

Also operators of

WHITE MOTOR EXPRESS CO.

Established 1918

WHITE TERMINAL COMPANY

17th AND PIKE STS.

SCRANTON, PA.

R. F. POST

DRAYMAN & STORAGE WAREHOUSE

221 Vine St.

HOUSEHOLD STORAGE POOL CARS
MERCHANDISE STORAGE PACKING
LOCAL AND LONG DISTANCE MOVING
PRIVATE SIDING, D. L. & W. R. R.

SCRANTON, PA.

The Quackenbush Warehouse Co.

219 Vine Street

MERCHANDISE AND HOUSEHOLD GOODS
STORAGE POOL CAR DISTRIBUTION

D L & W and D & B Sidings

Member of Allied Distribution, Inc.



UNIONTOWN, PA.

H. D. RYAN—L. G. HOWARD, Proprietors

KEYSTONE TRANSFER CO.

CORNER BEESON BLVD. & PENN ST.

HOUSEHOLD GOODS PACKED, SHIPPED, STORED
LONG DISTANCE MOVING

Private Siding B. & O. R.R.

WILKES-BARRE, PA.

WILKES-BARRE STORAGE CO.

General Storage and Distribution

Prompt and Efficient Service

12 Car Track Located on Lehigh Valley RR. Switches
Storage-in-Transit and Pool Cars

19 New Bennett St.

Wilkes-Barre, Pa.

WILLIAMSPORT, PA.

WILLIAMSPORT STORAGE CO.

FIREPROOF BUILDING—416 FRANKLIN STREET

P. R. R. SIDING

MERCHANDISE STORAGE and DISTRIBUTION

HOUSEHOLD GOODS—DRAYAGE

IDEAL DISTRIBUTING POINT FOR CENTRAL PENNSYLVANIA

PROVIDENCE, R. I.

CADY MOVING & STORAGE CO.

80-90 Dudley St.

FIREPROOF WAREHOUSE

Storage, Moving, Shipping

Fleet of Long Distance Moving Vans

Member National Furniture Warehousemen's Assn.

Agent for Allied Van Lines, Inc.



PROVIDENCE, R. I.

Terminal Warehouse Company of R. I., Inc.

Storage all kinds of General Merchandise, Pool Car
Distribution. Lowest Insurance.

Trackage facilities 50 cars. Dockage facilities on
deep water.

Shipping directions South Providence, R. I.

CHARLESTON, S. C.

Charleston Warehouse and Forwarding Corp.

Merchandise Storage and

Distribution of Pool Cars

Modern Concrete Warehouse. 100,000 Square Feet of Storage Space.

Private Tracks Connecting with All Railroad and Steamship Lines.

Motor Truck Service.

Members of the American Chain of Warehouses, Inc.

GREENVILLE, S. C.

"The Heart of the Piedmont"

TEXTILE WAREHOUSE CO.

Est. 1923

511-13-15 Rhett St.

GENERAL MERCHANDISE—H.H.G. STORAGE

Pool Car Distribution—Motor Truck Service

Low Insurance Rate

Private Siding



CHATTANOOGA, TENN.

CRABTREE TRANSFER & STORAGE COMPANY

1436 William St. Established 1917 Chattanooga, Tenn.
In the heart of the wholesale district.
Merchandise storage. Pool car distribution. Lowest insurance. Private siding served by all railroads.
Member National Furniture Warehousemen's Association.
Agent for Allied Van Lines, Inc.



NASHVILLE, TENN.

124 FIRST AVE. N.

BOND, CHADWELL CO.

MERCHANDISE WAREHOUSE. RAIL, TRUCK AND RIVER TERMINAL.



KNOXVILLE, TENN.

FIREPROOF STORAGE & VAN COMPANY, Inc.

201-211 Randolph St., Knoxville, Tennessee
135,000 square feet on Southern Railway tracks.
Equipped with Automatic Sprinkler
Insurance at 13c. per \$100.00 Household goods shipments per annum. Prompt remittance made.
Pool Cars distributed.
MEMBERS American Warehousemen's Ass'n
PROMPT AND EFFICIENT SERVICE

MEMPHIS, TENN.

S. S. DENT, Pres.

General Whse. & Dist. Co.

435 So. Front St.

"Good housekeeping, accurate records. Personal Service"
Located in the center of the Jobbing & Wholesale District
Sprinklered Low Insurance
Private R. R. siding Perfect service



MEMPHIS, TENN.

W. H. DEARING, General Manager

John H. Poston Storage Warehouses

ESTABLISHED 1894

671 to 679 South Main St.

Insurance Rate \$1.25 per \$1,000 per Annum Distribution a Specialty.
Merchandise storage, dependable service, free switching. Local cartage delivery. Illinois Central and Cotton Belt Railway tracks. Automatic sprinkler. A.D.T. watchmen.

Revision of Sherman Law

(Continued from page 11)

comprises labor and industry. The question then arises whether it is a sound economic principle that our jurisprudence should give its sole attention to the protection of the public in its capacity as consumers, while at the same time ignoring the consuming public in its capacity as producers and workers. Stated differently, but correctly, is it to the better interests of the public to obtain lower prices than to maintain and enjoy the benefits of a wholesome and thriving industry?

If the greater efficiency and usefulness of the procedure prevailing in the other named English-speaking countries has been here proven, then any suggested revision of the Sherman Law must be directed toward the adoption of the same principle, namely public welfare, which prevails in the statutes of those countries. Upon this basis the following amendment to the Sherman Law is suggested:

"That the words 'in restraint of trade' wherever used in this Act, shall be deemed and interpreted to mean only such restraint of trade as, having due regard to the interests of producers, workers, consumers, and distributors, shall be to the detriment of the public."

If this revision shall be brought about, then the result will be the abandonment of the drastic principle now prevailing, whereby good motives and good results do not constitute a defense; and with the result that the present state of confusion will be ended and businessmen no longer stand in fear of prosecution and punishment when, with good motives, they seek to produce good results which are beneficial to the public welfare.

It is further suggested that such an amendment would not impair the effectiveness of the Sherman Law in its wise prohibitions against nefarious and dishonest

NASHVILLE, TENN.

521 Eighth Ave., So.

Central Van & Storage Co.

MERCANTILE AND HOUSEHOLD STORAGE
WAREHOUSE STOCK and POOL CAR DISTRIBUTION
Automatic Sprinkler System—Centrally Located

AMARILLO, TEXAS

WM. C. BOYCE

J. A. RUSH

Armstrong Transfer & Storage Co., Inc.

First and Pierce Sts.

Distributors of Merchandise
BONDED WAREHOUSES
Amarillo and Lubbock, Texas
Contract operators for all rail lines and Universal Carloading and Distributing Company.
Member Southwestern Warehouse & Transfermen's Association—American Chain of Warehouses



BEAUMONT, TEXAS

TEXAS STORAGE COMPANY

656 Neches St.

Beaumont, Texas



Merchandise and Household Goods
Warehouse, Concrete Construction
30,000 Sq. Ft. Distribution of Pool Cars
Transfer Household Goods
Agent for A.V.L. Member of N.F.W.A.—S.W.&T.A.

CORPUS CHRISTI, TEXAS

CORPUS CHRISTI WAREHOUSE AND STORAGE COMPANY

Located AT PORT SITE

adjacent to docks NAVIGATION DISTRICT NO. 1

Storage

Distribution

Drayage

MERCHANDISE EXCLUSIVELY

96,400 Sq. Ft. Sprinklered

Represented by ALLIED DISTRIBUTION INC. CHICAGO
11 WEST 42ND ST. PHN. 4-0946 1525 NEWBERRY AVE. MOH.533

Low Insurance Rates

Member: Southwest Warehouse and Transfermen's Ass'n

CORPUS CHRISTI, TEXAS

Robinson Warehouse & Storage Co.

General Offices: 1500 N. Broadway, Corpus Christi

Specialists in

General Merchandise Storage—Pool Car Distribution

Public Bonded Warehouses at Allie, Corpus Christi, Harlingen and Victoria . . .
Daily and overnight common carrier Motor Freight Service to Houston, San Antonio, Austin, Laredo and Rio Grande Valley, serving all intermediate points.
Expert Handling: Inquiries Invited.

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In Dallas It's Binyon-O'Keefe

MERCHANDISE STORAGE—POOL CAR DISTRIBUTION
Our modern Centrally located fireproof warehouse is completely equipped to serve you with over 75000 square feet of merchandise & household goods storage space.
MOVING—STORAGE—PACKING—SHIPPING



Since 1875

BINYON-O'KEEFE
Fireproof Storage Co.
Dallas

Since 1875



Associated with Distribution Service, Inc.

DALLAS, TEXAS

ESTABLISHED 1875

**DALLAS TRANSFER AND
TERMINAL WAREHOUSE CO.**Second Unit Santa Fe
Building, Dallas, TexasModern Fireproof
Construction—
Office, Display,
Manufacturers,
and
Warehouse Space

Operators of the
Lone Star Package Car
Company (Dallas and Fort
Worth Divisions)
H. & N. T. Motor Freight Line
Agents for Allied Van Lines, Inc.
A.W.A., N.F.W.A., American Chain
of Warehouses
Southwest Warehouse & Transfer-
men's Assn. Rotary Club



MEMBERS

DALLAS, TEXAS

**INTERSTATE-TRINITY
WAREHOUSE COMPANY**

301 North Market St., Dallas



Merchandise Storage and
Distribution
Household Goods Storage,
Moving & Packing
Long Distance Hauling
R. E. ABERNATHY, Pres.
J. H. CHILES, Vice-Pres.

* Represented by  **ALLIED DISTRIBUTION INC.** CHICAGO
11 WEST 42ND ST., PENN. 6-0987 1525 NEWBERRY AVE., MON.5531

DALLAS, TEXAS

SPECIALIZINGMERCHANDISE STORAGE
POOL-CAR DISTRIBUTIONSERVING THE GREAT
SOUTHWEST AREAEVERY ACCOUNT IS
PERSONALLY SUPERVISED
BY THE MANAGEMENT**KOON-McNATT STORAGE & TRANSFER CO.**
911 MARION ST.CONTRACT OPERATORS FOR ALL RAIL
LINES AND UNIVERSAL CARLOADING &
DISTRIBUTING COMPANYOver 10,000,000 Pounds of Freight Handled Monthly
for Dallas Shippers

DALLAS, TEXAS

A Complete Merchandise Warehouse Service
COLD STORAGE—MERCHANDISE STORAGE
YARD STORAGE—RENTALS**MAAS-MORGAN WAREHOUSE, INC.**Houston Street at McKinney Avenue. 1917 North Houston Street.
703 McKinney Avenue, Dallas, Texas.The business address of a number of the largest manufacturers in the world. A
splendid modern plant. A strategic distribution center. A highly specialized
organization placing at your command the finest SERVICE that skill and willing-
ness can offer.

DALLAS, TEXAS

**Merchants Cold Storage of Dallas**
Bonded470,000 Cu. Ft. Cold Storage Space
Pool Car Distribution

1301-7 Broom St. P. O. Box 5088

DALLAS, TEXAS

Member of SWA

The
Southwest's
Warehouse
of
Service**TEXAS AND PACIFIC TERMINAL WAREHOUSE CO.**
MERCHANDISE STORAGE—POOL CAR DISTRIBUTIONWarehouse also
in Fort WorthAir conditioned office and warehouse space—
Cooler Rooms, Ample parking room for trucks
and cars. Low insurance rates.

EL PASO, TEXAS

"Bankers of Merchandise"
"Service With Security"**International Warehouse Co., Inc.**

1601 Magoffin Ave. El Paso, Texas



Lowest Content Insurance Rate
Fireproof Storage of Household Goods, Autos
& Merchandise. State and Customs Bonded.
Private Trackage—T. & P. and So. Pac. Ry.
Pool Car Distribution—Motor Truck Service.
Incorporated in 1920
Members—NFWA—SWTA—Agent for Allied
Van Lines, Inc.

EL PASO, TEXAS

Security Fireproof Storage Co.

224 No. Campbell St.

Specializing in Merchandise Distribution
Complete Service—Centrally Located
Make Us Your Branch—Inquiries Solicited

efforts to bring about private advantages which are
damaging to the public welfare. Such an amendment
ought to clarify and make more effective the prevailing
and commendable efforts now being made by the De-
partment of Justice to inhibit and destroy every noxious
combination which seeks only selfish advantage and
ignores the public welfare.

Factories on the Move

(Concluded from page 27)

story and basement plant at Rockwell and 23rd Sts.
Cost over \$100,000 with equipment.

Mission Water Heater Co., Los Angeles, Cal., has
asked bids on general contract for new one-story plant.
50 by 200 ft., at 7102 Stanford Ave. Cost close to
\$75,000 with equipment.

Pacific Can Co., San Francisco, will build a plant at
Modesto, Cal., on a tract, about 275 by 450 ft., just
acquired. Cost over \$150,000 with equipment.

**New York Handles 3rd
Of Export Freight**

The Port of New York is handled more than 1/3 of
all of the rail-borne export and coastal freight enter-
ing all of the Gulf and Atlantic ports, according to an
analysis made public by the Brooklyn Chamber of
Commerce.

The chamber indicated that its study furnished
"further evidence" that this port, far from being
glutted by a "war-time congestion" is actually moving
freight from railroads to ships more efficiently and in

(Continued on page 85)

FORT WORTH, TEXAS

In Fort Worth It's Binyon-O'Keefe

MERCHANDISE STORAGE—POOL CAR DISTRIBUTION
Our modern Centrally located fireproof warehouse is completely equipped to serve you with over 90,000 square feet of merchandise & household goods storage space.
MOVING—STORAGE—PACKING—SHIPPING



Since 1875

BINYON-O'KEEFE
Fireproof Storage Co.
Fort Worth

Since 1875



Associated with Distribution Service, Inc.

FORT WORTH, TEXAS

A Complete Merchandise Warehouse Service

MERCHANDISE STORAGE — COLD STORAGE — POOL CAR DISTRIBUTION — FRISCO R.R. SIDING
MODERN — FIREPROOF WAREHOUSE

JOHNSON STORAGE & DISTRIBUTING CO., INC.

AND

JOHNSON MOTOR LINE

601 W. VICKERY BLVD.

FT. WORTH, TEXAS

FORT WORTH, TEXAS

Agents—ALLIED VAN LINES, INC.

Storage, Cartage, Pool Car Distribution

O. K. Warehouse Co., Inc.

255 W. 15th St., Fort Worth, Tex.



HOUSTON, TEXAS

BINYON-STRICKLAND**WAREHOUSES, INC.**

Merchandise Storage — Pool Car Distribution
Centrally Located — Lowest Insurance Rate
Private Siding Southern Pacific Ry. Co.

Goliad & Morin Sts.

Houston

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Better Warehousing in HOUSTON

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R. J. ACHESON, PRESIDENT

New York Exports

(Continued from page 82)

greater volume than it did before the present war crisis arose.

The borough organization's research department took freight carloading figures of the 29 Gulf and Atlantic ports and found that in October, the latest reported month, handled a total of 20,400 carloads of freight; about 1/3 of the 61,592 carloads which all the ports combined recorded in that month. In October, 1939, New York's share of the freight movements was not only proportionately smaller but numerically smaller. In that month the total was 16,991 carloads for this port, compared to an overall total for the 29 of 62,945 carloads.

Thus, the Chamber said, while carloadings for all of the Gulf and Atlantic ports combined decreased 2 per cent in October as compared with the same month in 1938, the same freight movements in New York showed a gain of 21 per cent.

Figures which the chamber obtained from official sources showed that, in October, the railroads unloaded 146 carloads of grain for export in the Port of New York compared to 2277 carloads in October, 1939. Exports "other than grain," however, showed a substantial increase, with 19,113 carloads recorded in October compared to 13,362 in October, 1939, an increase of 43 per cent.

Coastal-bound freight unloaded in New York for export aggregated 1141 carloads in October, compared to 1352 in the same month of 1939.

Looking at the trend in the Port of New York for the 6 months ending Oct. 31, the Chamber found that the "curve" of the total railborne carloads of export and coastal freight during that period rose erratically from May through August; dropped sharply to below

(Concluded on page 87)

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In November, 1939, we talked with the District Manager of a national manufacturing company about carrying stock constantly in the warehouse to serve the trade instead of occasional pool cars, i.e., shipments, etc. During 1940 they used our warehouse services and by November 1, 1940, they were nine thousand cases over their quota which was set plenty high. By December 15, 1940, when they closed their year, they had over fifteen thousand cases sold over their quota. They just controlled the market in their line. So far this year, January 16, we have had four carloads and this is not their season for heavy selling. Get in on this \$500,000,000 territory for your share of the business through

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Office and Warehouse, 122 W. Washington St.

TRUCKING — MOVING — STORAGE
POOL CAR DISTRIBUTION

New York Exports

(Concluded from page 85)

19,000 in September, and recovered to the latest figure of 20,400 in October. Figures for each month follow: May, 20,574; June 21,848; July, 21,348; August, 22,356; September, 18,728; October, 20,400.

"Undoubtedly" the Chamber commented, "heavy demands for American products from abroad since the outbreak of hostilities in Europe is a predominant factor influencing the trend of freight. To prove this point, it is only necessary to look at the figures of total freight carloads handled for export and coastal freight in this port during the months previous to the war. With the 20,400 carloads recorded in October in mind, therefore, notice that in August, 1939, the total was 9,435; in July, 1939, 9,416; in June, 1939, 8,975, and in May, 1939, 10,228. It would appear that these freight movements have more than doubled since the start of the war.

Coordination Leads to Progress in Materials Handling

(Continued from page 14)

terially simplify their handling and storing, not only on this operation, but on many others.

It has been found that furniture and other finished merchandise, in crates, can be transported on power-operated industrial fork trucks to advantage, especially when shipping and warehousing at the factory, also at freight terminals en route, and in public warehouses, without change in method of packing or costly alteration of crate design.

The nailing of light cleats or runners on the bottom of the crates, at ends and centers, provides sufficient clearance to permit ready handling and transportation on fork trucks. Frequently, 2 or more crates of light material can be handled by a truck as a single load, by placing them one upon the other, and then transporting them at the same time. This method of packing is really palletizing a unit load, letting the crate also be the pallet.

In addition to simplifying the handling of these units, the cleated crates lift their contents clear of warehouse floors, and tend to protect against damage by water. They provide free circulation of air and eliminate places where rodents may nest and cause damage. An illustration of this type of crating is shown in Fig. 5. Crate manufacturers, their packing engineers and the packing engineers of industrial plants, should immediately start to design more boxes and crates to provide for their proper handling by means of fork trucks.

There has also been a demand for large metal containers, which could be handled by fork trucks, tiered as unit loads in storage, or operated as individual containers on their own wheels. Such a development is shown in Fig. 6, where a large metal tote box is equipped with formed side runners, into which the forks can project when lifting and transporting becomes necessary. These runners also provide bearing and side locking features when piling one box upon the other, while the casters permit the load to be moved about the plant warehouse or shop, as a hand truck.

Some container manufacturers who build skid boxes, etc., for use in industrial plants, have already recognized this need, as shown in Fig. 7. These new containers not only simplify handling, but are designed so that when one container may be placed on top of another, the specially designed stacking runners nesting down into the top of the box below to give unusual stability to the whole stack, a safety feature that prevents accidental dislodging of boxes.

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M. A. RAWLINSON, Pres. & Gen. Mgr.

M. RAWLINSON, Ltd.

Established 1885

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Office and Light Manufacturing Space Lowest Insurance
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28,000 BUYERS of

Services — Supplies and Equipment

In the plant warehouse or for the storage of material adjacent to the point of use, it is frequently necessary to provide storage racks, and here again the use of some form of palletized unit load will no doubt simplify both handling and storage. In such cases, coils of strip metal are being handled in a unit load container, which can be stored and handled between operations, as well as in the warehouses or storerooms. Each rack is fitted with pins and sockets at the top and bottom of its uprights, to permit safe stacking. The rack is made of structural parts in welded assembly, and is braced at the corners, to stand up under rough handling. It acts as a protection for the coils, permits storing them without the use of essential space for permanent racks, and it provides a rack not only when stored in bulk, but also a rack at the point of use.

Much has been accomplished, but there is still a

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600 ROOMS each with bath from \$2.50 up

Lounge and Restaurants. Unrestricted Parking to 3 a.m.

Coordination Leads to Progress

(Concluded from page 87)

lot to be done in the coordination of ideas, and as materials handling editor of *D and W*, the writer will address the Materials Handling Session of the American Warehousemen's Assn. Convention in Chicago, on Feb. 13, 1941. It is hoped that this entire subject can

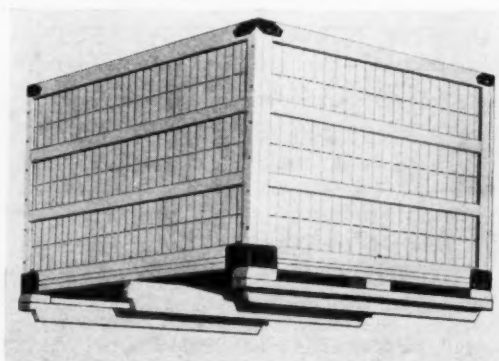


Fig. 7—Special containers for industrial storage in unit loads are available. (Courtesy, G. B. Lewis Co.)

be thoroughly discussed with the warehouse executives in order to obtain their points of view and recommendations as to what can be done to incorporate their requirements into the development and design of tote boxes, containers, racks, pallets, etc., which are going to be used by industry and shippers for interplant and interstate handling.

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SHALL WE USE CARTONS? BOXES? CRATES? KNOCKDOWN? ASSEMBLED?

WHAT DOES THE LAW SAY?

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What a break! Instantly you think of the splendid opportunity ahead, the good salary the position pays, the power and authority and respect you command.

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On your present job you probably encounter few such problems. How sure do you feel that given such a glorious opportunity you could make good?

There's not a man in a thousand in your position who wouldn't pull some boners—yet, there's probably not more than one man in a hundred who couldn't *train* himself so as to come through such a test with flying colors.

How? By training himself along those lines that so many present day traffic managers have followed—the LaSalle Problem Method of Traffic Management training.

LaSalle traffic training has been formulated by experienced traffic men for men just like you. Many of today's traffic managers have studied it, gained by it, in many cases attained their present envi-

able positions because of it. Hundreds of additional men, now tops in their field, have contributed to its building and are advising so that it *stays* up-to-the-minute, practical, useful, profitable.

What is the secret of this training which is so outstanding in its reputation and accomplishments? Why has it helped so many traffic executives to advance themselves?

There is no secret.

Although the method is original with LaSalle, it's such a common-sense procedure that you'll instantly see its advantages. It consists of your solving *practical* and *actual* traffic problems over and over again—starting with the easy ones and working up by degrees to the most complex and difficult ones.

You Train Under Experts!

All the time you work with a staff of practical traffic men—experts every one. Imagine what you could learn if your own company's Traffic Manager had the time to coach you personally as many hours a week as you cared to have him. Imagine that in addition to your own Traffic Manager you could command the help of other expert traffic managers—ask them questions, enjoy their expert advice, suggestion, and assistance. How long would it be before you, too, had mastered the intricacies of executive traffic control?

Such coaching, such question-and-answer training, such help with all the common (and most of the uncommon) traffic problems, is what, in essence, the LaSalle traffic experts offer you.

The training is based on manuals, problem sheets, and practise material which has been reviewed by 175 of the country's leading traffic executives. Constantly it changes, constantly it is improved, constantly it incorporates the newest and best practice for choosing the latest and most profitable transport facilities.

This country's vast and complicated transportation system is today growing by the minute. New opportunities are presenting themselves week in and week out for the men who are trained to grasp them.

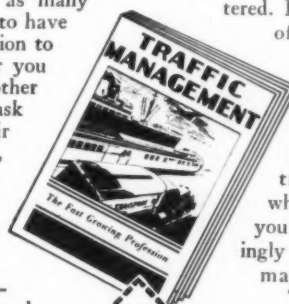
Already you have a foothold in this great field of opportunity. Already other men just like you are preparing to scale the heights of opportunity with the aid of LaSalle's sound training. Are you any less ambitious than these other fellows?

Write For This Free Book!

Don't hesitate! At least investigate the very remarkable possibilities right in the field which you have already entered. Let us send you a copy

of the fascinating book pictured here. In its 48 interesting pages you'll find many facts about men who are benefiting by LaSalle traffic training. Only when you have read it can you understand what amazingly desirable opportunities may lie ahead *for you!*

There is no obligation whatsoever when you send for this book. Fill in the coupon and mail it today.



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